

NYSERDA “Environmental Stakeholder Meeting” Report

This is a brief summary of the “**NYSERDA Environmental Stakeholder Meeting on Wind Power**” held on June 16, 2009, in Albany, NY at the Empire Plaza. A full video or audio tape of the event is available (see end of this report).

For the background as to how this meeting came about, please see the *History* section of the *Citizens’ Questions* document submitted to NYSERDA:
<<http://www.northnet.org/brvmug/WindPower/NYSERDA_Questions.pdf>>.

Reading through that material will also explain why this forum was a major abandonment of the original commitments given by NYSERDA to NYS citizens. **As such, the overwhelming majority of citizens in our coalition chose to protest by boycotting this propaganda fest.**

A skeleton group did attend, however, and they had three objectives: **1** - to get all the questions answered that are in the *Questions* document, **2** - to record the meeting, and **3** - to get the answers to all our *Questions* document queries posted on NYSERDA’s *Toolkit* webpage.

Out of the 50± public attendees, these are the known NYS citizen coalition members present (listed alphabetically): Noel Abbott (Rensselaerville), Don Airey (Schoharie), Sister Barbara (Jordanville), Mary Kay Barton (Silver Lake), Tom and Joyce Gormel (Cape Vincent), Robin Krawitz (Cooperstown), Dawn Jordan (Helderburg), Dave LaMora (Cape Vincent), Dan Mackay (NYS Historic Preservation), Bob & Cathi Orr (Orangeville), Cheryl O'Connor (Berne), Dorayne Peplinsk (Warren), Dan Wing (Rochester), and Joe Woods (Stamford).

[Summary written by Mary Kay Barton, with additional comments incorporated from Noel Abbott, Bob & Cathi Orr, Dan Wing, other attendees, and John Droz.]

Opening remarks were given by meeting moderator, **Dr. Ken Kearns**.

Dr. Elizabeth Thorndike (a Cornell professor and the NYS environmental representative on NYSERDA's Board of Directors), said in her opening statement that "NYSERDA is not an agency: it is a non-regulatory authority. It cannot make regulations, it cannot make policy, it only acts on policies and regulations already set by political leaders and State agencies." She said that people need to realize that the NYS regulatory agencies (like the PSC), are the agencies that people should also be directing their concerns to them. [Note: we have directed our concerns to PSC and several other agencies.]

Dr. Thorndike also stated that "Beauty is in the eye of the beholder" and "Value judgments underlie public policy decisions." [Note: this matter is NOT about beauty or value judgments, but about the **science**. Dr. Thorndike’s comments appear to be a continuation of NYSERDA’s multi-year campaign to falsely categorize citizens asking for answers to legitimate questions, as NIMBYs.]

Dr. Thorndike went on to say that NYSERDA answers to State agencies, and NYSERDA makes suggestions to State agencies. "NYSERDA will answer or investigate issues raised at this meeting, and in the weeks and months after the meeting, will upchannel any suggestions it deems 'worthy' to State agencies. What the State agencies do, or do not do, with NYSERDA's suggestions are the State agencies responsibility." [Note: NYSERDA people are supposed to be the energy technical experts in the state, so no NYS energy policies are made without consulting NYSERDA and getting their approval.]

Dr. Thorndike also said that while we were there to discuss the many questions that we have asked about industrial-scale wind, wind power has already been deemed to be a 'scientific solution' to help reduce Global Warming, and NYS must take aggressive action to significantly change its dependence on fossil fuels in order to combat global warming. Political leaders/representatives in Washington and Albany have already set policy that wind power is very necessary to do that. Therefore, the meeting's ground rules "won't allow any discussion of stopping wind power as a policy of NYS." [Note: this is classical politics: arbitrarily state that the answer is already resolved — with zero independent evidence to prove it. We have been asking for this evidence for years now. Absolutely zero independent scientific evidence has been provided to date. None is on NYSERDA's website, for instance. It's easy for them to say it's science-based, but they have yet to backup their words. That's why we were there.]

It boils down to the fact, as we also witnessed at the November, 2008 meeting at NYSERDA's Albany Offices, that all policies and recommendations coming from NYSERDA are being determined by political agendas driven by Global Warming. As far as they are concerned, the debate is over — despite the science that says that there are other legitimate possible explanations to climate change. They have also chosen to dismiss the overwhelming costs that will be involved, both economically & environmentally.

We had written the meeting's organizers prior to the meeting and requested that they skip the PR of self-serving panel members whose fortunes are tied to the promotion of industrial wind power, as we've all heard this time & time again. The sole reason for the meeting was to answer our concerns, which we carefully crafted into the *Citizens' Questions* document .

Unfortunately, our requests went unheeded, and the greater percentage of the meeting was spent promoting the imagined wonders of wind by many of its unabashed profiteers, rather than dedicating the time to answering the questions of NYS citizens that NYSERDA is paid by, and employed as a "public benefit" authority to serve.

Both the obvious one-sided stacking of the panels (only 2 people had anything genuinely negative to say about windpower all day long), and the very limited question time we were allowed, fly in the face of NYSERDA's own Mission Statement of "placing a premium on objective analysis and collaboration, as well as reaching out to seek multiple perspectives."

The first presentation was "The Role of Renewable Energy in our Energy Future" by **Jeff Deyette** of the *Union of Concerned Scientists*. It was a 30-minute pitch for wind - same stuff we've all heard before from this very pro-wind group. Deyette bragged about the fact that wind grew more than any other energy source last year (forgot to mention nothing else new was allowed, and that a reason for a high percentage increase is because it was so tiny to begin with).

He stated wind normally competes against gas. [Note: this is misleading.] He said wind cost declined for 10 years, but is now going higher. Said wind power is now getting profitable, and then cited the laundry list of subsidies, i.e. - Federal & State PTC, Federal Stimulus, Federal Grants & Loans, Federal & State Accelerated Depreciation. Said installed capacity will double from 33 GW to 66 GW by 2030, and growth has increased need for expanded transmission. Referred to EIA numbers that non-hydro renewables currently make up 3% of nation's output, but will reach 11% by 2030 (didn't say how much wind). Said wind power results in emissions reductions, but offered NO scientific proof.

The panel members on "Technology, Power Markets, Economics" were: Dr. Bruce Bailey (AWS Truewind), Robert Pike (NYISO), Christina (Tina) Palermo (NYS PSC), & Lisa Petraglia of Economic Development Research Group.

Dr. Bruce Bailey of AWS Truewind (which obviously has a vested interest in the development of industrial wind), said we can reach 2030 goals at "reasonable costs", and "save consumers money in the long run." [Note: no independent evidence of these specious statements were provided.] He cited average Capacity Factors of 25% - 33% [Note: these are GE stats: FERC numbers given NYSERDA at previous meetings have shown this is NOT actually being achieved in NYS.]

Bruce attempted to answer a question submitted to NYSERDA at both previous Environmental Groups meetings, and which was again included in the *Citizen's Questions* Document: "How many industrial wind turbines, scattered over how large of an area, would it take to collectively deliver a capacity value equivalent to any conventional generating system (defining capacity value as the ability to produce specified amounts of energy at specified amounts of energy at a specified rate at any time?)"

Dr. Bailey failed to answer the question as it was asked because: **1)** he claimed that each turbine only needs 30 acres [a developer in WNY recently reported in an interview for a local news article that each turbine needs 100 acres]; and **2)** he gave the number he deemed would be necessary to meet a designated Installed Capacity - not the Capacity Value to meet that of conventional generating plants.

Bailey also tried to justify the turbines' massive footprints by saying that 90% of the area involved can still be used for farming, allowing farmers in economically struggling areas to harvest two "crops" from their properties. [Note: all leaseholders are not farmers, and many other submitted questions would have been relative to this discussion, but were not discussed, i.e. - #E9, #E20, #E21, etc.]

When asked if the industry has any set recommendations for what they consider to be safe setbacks, Bailey said, "No." Dr. Bailey was then informed of the Vesta's safety recommendations of at least 1300 feet.

He also acknowledged that wind turbines can draw electricity from the grid (or reduce their reported output) to run lights, generators, heat blades for de-icing in the winter, etc. He provided no data to show exactly how much this was.

Bob Pike (NYISO: an organization of utilities, like National Grid) went over several technical grid facts. These included capacity (theorized *vs* anticipated and Winter *vs* Summer), moving electricity to load centers in NY State, transmission connection points, etc.

Dan Wing posed a question about the NYISO Press Release that said NYISO could not accept any electric power from the Cohocton Wind Farm until December 2009 at the earliest. The NYSERDA attorney Peter Keane very quickly got involved with the answer -- obviously this is a hot button issue. Keane said this was a NYISO press release error. [Whether that is the case or not, who knows?] Shortly thereafter, Keane came over to Dan and told him that Keane had NYISO retract that press statement 3 days after its issuance.

Tina Palermo of NYS PSC (Public Service Commission: which is somewhat of a "watchdog" over NYSERDA) said that "wind power is a new technology" that still needs subsidies to compete. [Note: this is yet another example of how answers are massaged to support their political agenda. When Jeff Peterson (the head NYSERDA technical person) was asked about the scientific evidence they had that shows wind power to be an effective energy source, he said "wind power has been around for thousands of years, so none is needed." So one says it's new, the other says it's old.] The RPS (a tax collected through ratepayer's bills every month) is the subsidy NYSERDA has available. She said that 'wind farms' must sell its produced electricity to NYISO before NYSERDA pays for that electricity.

Lisa Petraglia of the Economic Development Research Group, Inc. (EDRG) which co-authored the KEMA report, addressed some of the comments contained in the *Questions Document* relative to the KEMA report. Unfortunately, the woman rambled on for quite a while but was nearly inaudible, and refused to use the microphone she had her in hand but wouldn't place near her mouth, though she was asked to speak up several times.

She took exception to the "the author of the *Citizens' Questions Document* comments on the KEMA report". For instance, she said that "the \$129,000 saved does not reflect the *preservation of ecosystems*". [Funny, but I don't see that as what is happening!?! Furthermore the \$129,000 was EDRG's figure in EDRG's report. If she thought that it should have been higher, why didn't EDRG include it in their own report?] She said there would be a savings of 2 billion dollars over the 20-year interval. [Note: It didn't appear that she provided any data to support these grand claims.]

At the end of the brief morning question segment, I asked, "Since most NYS citizens can't make it to these meetings, will NYSERDA be posting the answers to the questions we submitted on their website so that all citizens can have access to this very valuable information?" After a period of silence, NYSERDA Program Manager Janet Joseph, stood up and said that NYSERDA had not promised to give us written responses to our questions - that the intention of the meeting was to disseminate the answers. [Note: We agree that this WAS the meeting's intention, but the fact is that most questions were NOT answered because NYSERDA purposely wasted time with PR fluff. This is another example of them wanting it both ways.]

During lunch, I spoke with Dr. Thorndike about receiving written answers to our questions, and again asked why that wouldn't be possible? She made no commitment, but seemed very receptive to my comments. She also acknowledged that the website did need updating.

After lunch, the meeting reconvened with *The Environmental Panel*, comprised of Pace University's Thomas Bourgeois (Pace has a well-known pro-wind activist group), Dr. James Newman of Pandion Systems (another company with a vested interest in the development of industrial wind), Dr. Jan Storm of the NYS Department of Health, Dr. Dan Driscoll (a former Noise Control Engineer for power projects of the PSC), and Jack Nasca, NYS DEC.

Mr. Bourgeois (who has other connections to the renewables business that he failed to identify) had a Power Point presentation on the "assumptions" they have made on the impact of wind generation on CO2 emissions in NYS. It included information provided by studies done by wind manufacturer/developer GE — more info NYSERDA continues to accept as "independent, objective analysis," though we have called them out for using GE's very biased, financially-motivated material at past meetings.

The most disturbing info of the day came from this PACE person, who said that the *National Academy of Sciences* had just put out a report on the Lifecycle Analysis of different technologies, and that wind was by far the best - having less carbon impact from cradle to grave than any of the other energy sources - even rating wind better than geothermal.

I don't see how that could be true when you consider the concrete per base, [up to two million pounds per turbine!] the impacts of the overseas steel production for each tower, the carbon-filament blades, etc., etc. None of us knew about this report prior to their announcement of it at the meeting, but here is the link to it: (<http://tinyurl.com/mtxbgs>).

[Note: what Mr. Bourgeois neglected to say was that this report was coauthored by NYSERDA's own Jeff Peterson, along with some similarly thinking cohorts. So in effect we have NYSERDA referencing itself for justification. Hmmm.]

As luck would have it, a few months ago independent energy expert Glenn Schleede was asked to review the draft by the NAS, although he ended up refusing to do so officially. You can read his 12/08 report, "*Can the National Academies Produce an Objective Report?*" (<http://tinyurl.com/nqy6uk>). The picture will become much clearer for you after reading Mr. Schleede's comments.

Dr. Newman of Pandion Systems, Inc. also played up the NAS report, but his life cycle analysis did not include CO2 produced in manufacturing, and his life cycle stage chart ELIMINATED the "Resource Extraction" stage. This is strange considering that the average turbine is made up of at least 400± foot high steel towers, plus 350 - 500 cubic yards of concrete. This works out that each concrete base weighs in at around **two million pounds**. So, multiply this by the thousands of turbines proposed for NYS, will equal many billions of pounds of manufactured materials. Transporting that material (some from overseas) will most certainly use a significant amount of fuel, impacts roads, and have a significant effect on our environment. The key question: What makes up "Construction of Facility", and what exactly does it include?

As a fellow attendee said, James seemed to indicate that those items were not normally included in Life Cycle Costing. If that is indeed the case, it seems to be to be a little bit like leaving the cost of the Iraq war as an "off balance sheet item" in our Federal budget!

Compared to all of the prior presenters, **Dr. Jan Storm** (NYS Dept. of Health) was somewhat more middle of the road. She reported the fact that concerns about health impacts in respect to noise associated with industrial wind turbines are worldwide, but they still don't know a lot about it. [Exactly!] She acknowledged that people are different, and have different sensitivities that increase risks. She said that though there are a lot of case studies, and some are very provocative, there still aren't enough scientific studies. [Exactly — so what is DOH doing to fix this omission? Not much according to her.]

She acknowledged the 3rd Annual Conference on Noise Associated with Industrial Wind Turbines that will convene in Europe again this year. Yet, though NYS did receive \$10 million dollars of Stimulus money intended for grants, and the National Institute of Health has a call out for submittals, the DOH still has not applied for a grant to pursue studying the health issues in NYS. (Nice to know our health is such a priority before diving headlong into this mess, isn't it!?) [It was disappointing that considering the many health and safety issues that have been related to industrial wind power, that this DOH person only touched on a small part of just one of them: noise problems.]

Dr. Dan Driscoll, of Driscoll Engineering and former Noise Control Engineer for the PSC, was the first member of NYSERDA's panel who seriously focused on one of the many negative realities associated with wind.

He explained the problems associated with the noise emitted from industrial wind turbines. He said that "infrasound" (sounds below 20 Hz) are the sounds you can't hear, but you can **feel**. He said they are **not** blocked by walls of residences, and they can **very negatively affect the human body**, especially after prolonged, continuous exposure. He said symptoms include headache, nausea, sleeplessness, etc. Dr. Driscoll recommended that the state use known higher quality testing methods. He ended his presentation by asking, "What are you going to do about it?" [Note: no NYSERDA person answered his question.]

The final panel was about *Local Decision Making*, comprised of Jack Nasca, NYS DEC (again), Linda King and Jeff Zappiere (both NYS Department of State), John Bonafide (NYS Historic Preservation) and Tom Brown (retired NYS DEC).

Jack Nasca (Chief of Energy Engineering Projects for the DEC) also spoke at the end of the prior panel, but his remarks are combined here. He complained that NYS has not had an energy siting law since Dec. 31, 2002. [We then heard, again, all about SEQRA.] Since NYS apparently has no intention of holding wind developers accountable, Nasca ended by suggesting that Towns use some of the PILOT money they receive from these projects to conduct their own studies, so that the **towns** can then hold the developers accountable if they don't meet set guidelines. [Let me know how that works out for your town if you decide to try it?! Remember that NYSERDA is chartered with oversight of these developers, so it is absurd that they pass the buck onto non-technical towns.]

Linda King NYS DOS, said that land use falls squarely in the hands of local officials in Home Rule states. [This once again is an attempt to discount any responsibility or accountability from being placed on NYS for this whole mess. We don't recall that she mentioned NYS's efforts to take away Home Rule with Article X. When this was discussed, it was distorted as being a "benefit."] She also advocated that towns do moratoriums on industrial wind power, until everything can be worked out properly. [Note: we certainly agree with this, and hope that NYSERDA takes such a position on their *Toolkit* webpage too.]

Jeff Zappiere also NYS DOS, was identified as their Offshore Wind Power expert. He said that "NY's wind resources are all out on the water." Although he stated that there are issues unique to siting wind towers offshore, he failed to mention that the latest federal government figures (EIA 2009) show offshore developments to be over 60% more expensive than land projects.

John Bonafide of NYS Historic Preservation said that his fellow employees at Historic Preservation all had heart arrhythmia's when cell towers started going up. After seeing their first 'wind farm', they now all wished they would have listened to their mothers and become CPA's. He said that these massive industrial complexes change the character of a town forever, and that it's important that we preserve our cultural resources. [We interpreted John's comments to mean that he and his organization weren't thrilled by wind power.]

Tom Brown, former DEC person and Ecologist was the final panel speaker. Mr. Brown really called out the State for their "inadequate oversight" over industrial wind projects, and that "tragically", this lack of oversight is happening with regards to wind farms across NYS. He said that rural towns are ill-prepared to deal with the well-financed industry. He noted the conflict-of-interests and corruption that has gotten the NYS AG involved, yet it continues on unchecked.

Tom Brown's and Dr. Dan Driscoll's testimonies were definitely the highlights of our day! Thank God there are still some highly-principled guys out there who aren't afraid to speak out against the political pandering going on in our government today!

In one of the last sessions (sorry I forgot to note which) there was a brief discussion about the Wind Power Ethics Rules written by the NYS Attorney General. In our *Questions Document* we recommended that NYSERDA require that all wind developers sign this before they are certified to do business in NYS. A NYSERDA person made the comment that they were not in a position to legislate ethics, and everyone should be ethical in how they work! [Of course we were NOT asking them to legislate anything, as the Ethics document is already released by the NYS AG. All NYSERDA has to do is require developers to comply. This effort in behalf of NYS citizens, seems beyond their interest and capability.]

Dr. Thorndike made the closing comments following the final panel segment. It was during these remarks that she said that NYSERDA would post the answers to our questions on their website as they update it. She originally said it would probably take about two months, but in a follow-up letter to a fellow advocate, stated that it would probably take about three months.

[Note: this is an unacceptable time as we have been asking for these answers for years. They always say that they have them. So, if they are right at their fingertips, then it should be a simple matter to post them on the website. There is nothing more important that NYSERDA has to do then to be responsive to legitimate citizen concerns.]

In my personal discussion with Dr. Thorndike following the meeting, I thanked her, but told her that they still had not answered our main question that underlies the very reason for the existence of the industry, (which I also asked during the last question phase of the meeting - with no answer). The question is: "Since the justification for the massive development of industrial wind is that it will help reduce Global Warming by reducing CO2 - Where is the scientific evidence from anywhere in the world that wind offsets significant CO2 emissions from any electricity grid?"

Dr. Thorndike responded, "Oh there is proof." I asked, "Where? I still have not seen it? This is the kind of info you need to post on your website if it exists." She reaffirmed to me personally that they would post this info on their website.

So THANK YOU to all the citizens who sacrificed a day of their life to represent the interests of the rest of NYS taxpayers and ratepayers!

We had some great comments and questions from our group during the very restricted time we were allowed (only one question per person on only one issue after each panel discussion).

Despite this fact, the major accomplishments of attending the meeting were that **1)** we got some (very few) of the *Citizens' Questions* answered, **2)** we videotaped and audiotaped the meeting, **3)** NYSERDA did acknowledge their website needed updating and said that they would do so, and **4)** after being publicly pestered to do so, NYSERDA agreed to post written answers to our questions on their website. Hopefully this will include answers to ALL of our questions.

During the meeting, NYSERDA's attorney in attendance, Peter Keane, confronted Cathi Orr and asked who gave her permission to tape the meeting. She told him that I (Mary Kay) had written and asked for permission. We also informed them we would be taping, as is our right under the Sunshine Law.

Cathi also told Mr. Keane that she had spoken directly to Bob Freeman of the Committee on Open Government, to which he replied, "Bob Freeman isn't going to be able to help you if you get sued." He went on to say, "You better watch what you do with that tape. These are private citizens." Cathi told him that it was a public meeting and they were speaking there as public service representatives, so we had every right to tape it. [**THANK YOU Cathi!** *This blatant attempt to intimidate lawfully acting citizens is simply outrageous.*]

The video tapes are in the process of being transferred to DVD's, which will take a few days. If anyone would like to buy a DVD of the meeting, please contact Cathi Orr bobcatcatch22@frontiernet.net and they'll make extra copies.

Dawn Jordan also made an audio recording of the meeting and copies will be available. **It would be nice if someone offered to do a transcription of this important material.** Please contact Dawn at info@helderbergcommunitywatch.org

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