

Press Release

Tuesday, Dec. 27, 2016

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Save Our Allegheny Ridges (SOAR), a non-profit organization that strives to protect forested ridges from industrial development in Pennsylvania, recently learned that a large industrial wind project is proposed for Shaffer Mountain, a section of the Allegheny Front that hugs the western part of Bedford County and eastern parts of Somerset County. Invenergy, located in Chicago, Illinois, has leased the Berwind watershed property and plans to install up to 138 Megawatts of wind power as part of a project named the Shade Wind Energy Project.

Invenergy recently received a permit from Somerset County to erect 3 meteorological towers on Berwind property in Ogle and Shade Townships, but must obtain wind energy facility permits from Ogle and Shade townships before constructing the wind turbines. Invenergy's application to the PJM, the transmission organization that coordinates electricity movement in our region, shows the company plans to begin operation by the end of 2019.

Members of SOAR and other environmental groups successfully defeated a wind project that was proposed by Gamesa in 2006 for Shaffer Mountain. Gamesa withdrew their plans in 2012 after massive public outcry and the discovery of an Indiana Bat maternity colony in the proposed wind project site. Indiana Bats are a federally endangered species protected by the Endangered Species Act.

Shaffer Mountain is also home to the Allegheny Front Hawk Watch, one of the best hawk watch sites for Golden Eagle migration in the Appalachian Mountains. Dr. Brian M. Wargo, President of the Allegheny Plateau Audubon Society, and a Board member of the Hawk Migration Association of North America, has been instrumental in opposing the proposed changes to the eagle-take permits granted by the United States Fish and Wildlife Service. "It is illegal to kill, injure, or harm Bald and Golden Eagles—it is actually a felony, but power companies can apply for eagle-take permits, allowing them to kill a certain number per year. The Allegheny Front Hawk Watch is the premiere Golden Eagle site for the east coast, holding the record for total Golden Eagles counted in a year, as well as the highest single day count. It is ludicrous to place these wind turbines in the direct path of the highest concentration of these magnificent birds." The latest research data estimates the population of eastern Golden Eagles at just 5,000 individuals. Research by Dr. Todd Katzner and Dr. Tricia Miller shows that industrial wind

turbines on long, linear ridges in Pennsylvania (such as the Allegheny Front) pose a high risk for potential impacts to Golden Eagles.

Wargo, as so many other birders, is not opposed to wind energy, but recognizes that siting is the key to responsible development. He continues, "Most people do not recognize that these wind projects are industrial sites that take control of local lands, clear-cut the mountaintops, and restrict public access. It is like handing over your most sacred treasures to strangers, who do not live in the region, and who do not understand the ecological, historical, and cultural uniqueness of the area."

Shaffer Mountain contains Piney Run, an Exceptional Value Watershed. An industrial wind project in this largely undeveloped area will degrade the surrounding forests, the watershed, and will kill birds and bats. The Pennsylvania Game Commission estimates that one turbine kills an average of 25 bats per year.

Anyone interested in opposing this ill-conceived industrial wind project should contact Laura Jackson, President of Save Our Allegheny Ridges. Call 814-652-9268 or email: jacksonlaura73@gmail.com.

Invenergy officials stated it was too early to comment on their proposed wind project.

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Proposed Wind Turbine Complex - Shade & Ogle Townships of 2016.

Berwind Corporation is “stripping” the timber on their massive land holdings located in Shade and Ogle Townships! Their holdings consist of approximately 10,000+ acres!

Berwind has also leased the 10,000+ acres to a wind development corporation which has, within the last month, erected 3 wind test towers. Two of the three test towers are located within Ogle Township boarding the Roman Farm complex. The third being located in Shade Township. The “permitting” of the 3 towers was done by Somerset Planning Commission.

The “understanding” is that Berwind will do this themselves. A “stand-alone” project with **No** private property owners involved. You will remember that when Berwind and Gamesa persisted with their Shaffer Mountain Wind Project of 2006, which was denied permitting by various Government Agencies --- there were a number of private property owners involved with “wind-leases.” Not so this time –Berwind will go it alone!

By Berwind’s is almost “clear-cutting” of the timber on their property, they are now trying the “back-door” and “scorched-earth” policy in regards to their **NEW** Wind Energy complex of 2016, which will again be located on Shaffer Mountain! That being, devastate the mountain, pristine eco-systems, Windber Area Authority Watershed, degrade Piney Run, Clear Shade Creek, as well as numerous “feeder” streams and micro-eco-systems. This will be accomplished under the “guise” of Timber Management and “timber stand” improvement of the remaining timber! Give me a “**break**”!!!

We prevailed and prevented Wind Turbine placement by Berwind and Gamesa in their 2006 wind project **only** because of **basically** a “Pristine Wilderness” and “Eco-system “ ---- that simple!

Berwind is now in the process of destroying that pristine wilderness and eco-system ---- that simple!

Berwind has changed the rules --- so will we. Remember, corporate greed under the “guise” of “Green or Clean” energy is still the **basic** rule of Wind Companies and Berwind Corporation!

Townships, as with other types of municipal, government, receive the bulk of their funding and operational monies from taxation --- primarily from **Property Taxes!** **High-value homes in particular --- not large tracts of unimproved land.** The same **holds** true here in Ogle Township!

If this **Berwind Wind Complex** prevails in our township, many people will be directly affected by turbine noise, turbine “flicker” (sun light reflection on turbine blades) turbine “shadow” as well as turbine depression, with turbines reaching as high as 500+ feet!

Above All, real-estate values will plummet! As I disclose this Berwind Wind Project at this meeting, tonight, your property values and mine has just "DROPPED" by at least 50% within areas of the township!

Is it right for hard-working people who have built homes, in some cases --very expensive homes and have paid high property taxes on those homes for possibly many decades to be "stripped" of their value! Yes, "stripped" of their value so that Berwind Corporation, after devastating their land holdings now can "automatically" devastate your home and property values by 50% **or more** by placement of **their** Wind Energy Complex! **As you lose, financially, Berwind makes a fortune on timber and wind!**

Therefore, it is not an **option** but a **dire necessity** that you as **Ogle Township Supervisors** enact the strongest and most restrictive wind-ordinance allowed under law! You as elected officials are duty-bound to protect the property values of the township! After all the property tax payers and their home values made this township what it is today!

Time is of the essence --- don't drag your feet and permit Berwind to file a "Project Plan" which then would be "Grandfathered" in under your old "antiquated" wind ordinance!

As of now project and site location plans **have not** been filed --- only "Wind-Study" Towers! This could change very rapidly --- especially after this meeting tonight!

I am enclosing a copy---a comparison study of 4 wind ordinances: Ogle Twp. In Somerset Co., Bedford Co., Shade in Somerset Co. and Granville, in Mifflin Co. you will notice the "strong" and "weak" points of each you will also notice the suggested changes that are needed in Ogle --Twp's. "wind-ordinance", so as to protect residents and property values.

Also enclosed, copy---Press Release, Tuesday, Dec. 27, 2016

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Again, Ogle Township Supervisors --**Move soon --and move fast** -- protect the taxpayers who made this township not the "money-grabbers" who only come to profit ---"loot-pillage-and burn"!

Respectfully submitted

Joseph J. Cominsky
"Save-The-Mountain"

Wind ordinances as of 12/29/16:

Total Turbine heights:

EverPower in Callimont in Somerset Co. plans to use turbines **493 ft. tall**

Another company plans to put turbines **499 ft. tall** in Dauphin and Schuylkill Counties

These blades are 140 - 150 feet long.

Comparison of 4 ordinances: Ogle Twp. in Somerset Co., Napier in Bedford Co., Shade in Somerset Co. and Granville in Mifflin Co.

1. Definition of Occupied

Ogle: p. 2: "Occupied Building" means a residence, school, hospital, church, public library or other building used for public gathering that is occupied during all or part of the calendar year when the permit application is submitted.

Shade: "Occupied Building" means a residence, business, school, hospital...that is occupied or in use when permit application is submitted.

Granville: uses "Participating Residences" - structure intended for temporary or permanent human habitation

2. Criteria and regulations for Granting of Permit

Ogle: p. 4, 2.9. A noise evaluation study shall have been completed with this Ordinance. Specifically, a noise evaluation study shall have been completed to determine if the proposed activity set forth in the permit application will be expected to limit noise to the level of **45dBA** as required in paragraph 8 of this ordinance. Said study shall be completed by an independent agency or group with no affiliation to applicant/permittee.

1st change request for Ogle Ordinance:

Add this: "The agency or group is hired by the township, but paid for by the applicant."

3. Setbacks

Ogle: p. 6, 4.A.2. Wind turbines shall be set back from the nearest Occupied Building located on a Non-participating Landowner's Property a distance of not less than **five (5) times the Hub Height**, as measured from the center of the Wind Turbine base to the nearest point on the foundation of the occupied building.

Shade has setback of not less than 1.5 times the turbine height (includes highest point of turbine rotor plane)

Granville has a 2,500 foot setback or total turbine height to civil structures: school, hospital, church or public library

Napier has 2,500 foot setbacks to civil structures.

Granville has a 2,500 foot setback of total turbine height to Non-Participating Residences

Napier has a 2,500 foot setback to Non-participating Residences.

2nd Request for Ogle Ordinance: Setbacks should be 2,500 feet to nearest Occupied Building on a Non-participating Landowner's Property

Summary of Requested Changes. Note: These requests are based on several ordinances that have already been adopted by townships. One example is Granville Township in Mifflin Co. Some of these setbacks are also found in the Napier Wind Ordinance.

1. On page 4, Section 2.9: Add the parts in red:

Current ordinance: A noise evaluation study shall have been completed with this Ordinance. Specifically, a noise evaluation study shall have been completed to determine if the proposed activity set forth in the permit application will be expected to limit noise to the level of **45dBA and 45 dBC** as required in paragraph 8 of this ordinance. Said study shall be completed by an independent agency or group with no affiliation to applicant/permittee. **The agency or group is hired by the township, but paid for by the applicant.**

2. Setbacks to Occupied Building located on a Non-Participating Landowner's Property

Ogle: p. 6, 4.A.2. Wind turbines shall be set back from the nearest Occupied Building located on a Non-participating Landowner's Property a distance of not less than **five (5) times the Hub Height**, as measured from the center of the Wind Turbine base to the nearest point on the foundation of the occupied building.

Change "five (5) times the Hub Height" to **2,500 feet**.

3. p. 6, 4.B. **Property Line:**

Ogle has: "All Wind Turbines shall be set back from the nearest property line a distance of **two times the Hub Height**.... "

Change "two times the Hub Height" to **2,000 feet**.

4. p. 6, 4.C. **Public Roads:**

Ogle has: All Wind Turbines shall be set back from the nearest public road a distance of **not less than 2 times the Hub Height**....

Change "2 times the Hub Height" to **2,000 feet**.

5. p. 6, 4.D. **Communication and Electric Lines:** ...Ogle has **2 times the Hub Height** setback...

Change the setback to **2,000 feet**.

6. page 8, 8. NOISE

Ogle: A. Audible sound as measured at the property line of a Wind Energy Facility or other entity found in this ordinance shall not exceed **45 dBA**, as measured at the property line of a Non-participating landowner's property.

Add "**and 45dBC**" after 45dBA

7. page 10, page 12: PUBLIC INQUIRIES AND COMPLAINTS

B. The Facility Owner and Operator shall make reasonable efforts to respond to the public's inquiries and complaints.

Add after "complaints." "**Response should be within 5 business days.**