

**Before the Town Board of the Town of Forest
Regarding Resolution Regarding Noise Monitoring of Proposed
Highland Wind Farm Project**

WHEREAS the Town of Forest is a duly organized town government in the State of Wisconsin pursuant to Chapter 60 Wisconsin Statutes; and

WHEREAS since 2009 Emerging Energies has proposed to build a 40-44 turbine wind farm known as the Highland Wind Farm in the Town of Forest; and

WHEREAS Emerging Energies has failed to gain the support of a majority of the Town residents by failing to inform the town residents and the public early in the process of the size and potential safety hazards of the proposed turbines; and

WHEREAS, Highland Wind Farm's application to the Public Service Commission for a Certificate of Public Convenience and Necessity for the proposed 40-44 turbine wind farm shows that: 1) two of the former Town Board members are listed as participating property owners; and 2) two of the former Town Board members own or control properties that are designated as either primary or alternate locations for wind turbines.

WHEREAS the former Town Board members were replaced by the current Town Board in a recall election in order to evaluate whether the Highland project as designed is sufficiently protective of the health and safety of town residents: and

WHEREAS the Town has hired the services of a wind engineer, Wesley Slaymaker, an acoustician, Dr. Paul Schomer, an audiologist, and Dr. Jerry Punch, an epidemiologist, to evaluate the Highland Wind Farm and those experts have unanimously concluded that the project as designed would not protect the health and safety of Town residents because the proposed wind turbines are too large and too loud for available setbacks and would exceed legal noise thresholds; and

WHEREAS in December 2012, the Wisconsin Public Service Commission funded a study of the Shirley wind project which was also developed by Emerging Energies to determine why three residents left their homes after the Shirley Wind Farm was built because of the health impacts of insomnia, nausea and headaches; and

WHEREAS the report warned that without design changes a similar result would be expected in the Highland project because the proposed turbines were too large and too loud for available setbacks;

WHEREAS in March 2013 the Wisconsin Public Service Commission denied Emerging Energies' request for a Certificate of Public Convenience and Necessity (CPCN) because the Highland Wind Farm, as designed, would violate applicable noise limits; and

WHEREAS Emerging Energies has come back to the Wisconsin Public Service Commission with a curtailment plan to reduce rotor speed and noise to comply with applicable sound limits, but simultaneously intends to increase rotor speed and power with an ill defined and unprecedented “directivity” analysis; and

WHEREAS at the technical hearings in August 2013, four highly qualified and nationally recognized acousticians, a wind engineer and a computer software scientist testified that the Highland Wind Farm curtailment plan, which has never been attempted in any wind farm in the United States, would fail to meet applicable sound limits or be protective of health and safety; and

WHEREAS the Public Service Commission approved Highland’s curtailment plan with one dissenting vote on October 25, 2013 in which the PSC required only four noise monitoring sites to assure that applicable sound limits are not exceeded at the twenty (20) at-risk residences; and

WHEREAS the Town does not have confidence that the proposed sound monitors will be adequate to accurately measure sound emanating from the wind turbines to the at-risk residences if the curtailment plan fails to achieve its goals; and

WHEREAS the Town has a legal and moral obligation to protect the health, safety, and welfare of its citizens but needs solid scientific information in order to properly exercise its police power.

NOW THEREFORE BE IT RESOLVED the Town of Forest fully intends to exercise its police power to protect the health, safety and welfare of its citizens from noise or other obnoxious sound.

IT IS FURTHER RESOLVED that the Town intends to continue to contest the approved CPCN for the Highland Wind Farm and intends to hire a sound monitoring engineer to take baseline infra sound and audible sound levels in the Town of Forest before construction. The Town also intends to continuously monitor infra sound and audible sound if the Highland Wind Farm is ever constructed. The Town intends to report noise monitoring results publicly and to the Wisconsin Public Service Commission and intends to take affirmative action if necessary to protect the health, safety and welfare of its citizens.

Dated this ____ day of _____ 2013.

By: _____
Jaime Junker, Town Chair

By: _____
Patrick R. Scepurek, Town Supervisor

By: _____
Richard Steinberger, Town Supervisor