

8850, Second Concession Road,
Stella, ON K0H2S0
Jan. 8th, 2009

Ms. Doris Dumais, Director,
Environmental Assessment and Approvals Branch,
Ministry of the Environment,
2, St. Clair Ave. W, Floor 12A,
Toronto, ON M4V1L5

Dear Ms. Dumais,

I was most disappointed that the recent clarification of the noise guidelines from your branch denied the penalty for the cyclic variation of turbine noise and did nothing to reduce the allowed intrusion above ambient. I would like to emphasize the inconsistency of the stance taken by you and your engineering staff. The MOE noise regulation NPC-104 reads, in part, as follows:

“If a sound has an audible cyclic variation in sound level such as a beating or other amplitude modulation then the observed value shall be increased by 5 dBA.”

Nowhere does NPC-104 mention that this regulation applies to some cyclic variations and not others. However, your recent clarification reads as follows:

“No special adjustments are necessary to address the variations in wind turbine sound level (swishing sound) due to blade rotation. The temporal characteristic is not dissimilar to other sounds to which no adjustments are applied. It should be noted that the adjustments described in NPC-104 were not designed to apply to sounds exhibiting such temporal characteristic.”

In my presentation of August 27th, I described definite evidence that turbine noise is cyclic; the measurements made by van den Berg and the measurements described in the Salford Report published by the British Wind Energy Authority. In addition, of course, the evidence is available to anyone who listens to the noise of a turbine at a distance of, say, 500 metres in the absence of nearby traffic noise. Your paragraph acknowledges the “variation in wind turbine sound level”, the “swishing sound” and a “temporal characteristic”. All of these are descriptions of an audible cyclic variation. The basis for not applying the penalty is that your branch has been negligent in prior cases and it is not going to change. Again, the regulation is quite general; there is no fine print to say where it applies and where it does not.

At an earlier Focus Group meeting at MOE which I attended, we were told that any changes to the wind-turbine noise regulations and their interpretation would have to be approved by higher levels within the government. I have no doubt

that the combination of political influence and industrial lobbying has led you into your dilemma of accepting cyclic noise and also denying it! How does your professional engineering staff feel about their responsibility in this decision? As professional engineers they will have been schooled in the importance of ethical responsibility for their recommendations.

A further issue that you did not address is the allowed intrusion of about 15 dBA above ambient noise in rural Ontario. This is too much. Germany, to which many in the Canadian wind lobby pay homage, has a night-time limit of 35 dBA and no allowance for masking noise. This has not stopped the development of wind energy.

My reason for concern and impatience is that I not only read reports from health authorities with recommendations for setbacks of 1.5 to 2 km but periodically receive letters such as the one attached to this letter. In general, these are innocent victims who know nothing of what is going to hit them until the turbines are activated. As more of these turbines are being built and sited according to your delinquent noise regulations, the number of these problems is growing. These, of course, are the very people that your branch of the Ministry of the Environment is supposed to be protecting under the Environmental Protection Act. I foresee a significant number of victims once the Wolfe Island development is activated. As you know, I read the ENIA for Wolfe Island very carefully and was very critical of your staff, first for not recognizing the deficiencies in the ENIA themselves and then for ignoring my criticisms of it: specifically, the acceptance of masking noise although we all knew at the time that it was a myth for much of the time, for denying the NPC-104 penalty, for the inconsistency of the noise contours, for ignoring the uncertainty of the turbine noise level, for acceptance of the so-obviously faulty ambient noise measurements. In addition, the uncertainty of ± 3 dBA inherent in ISO-9613 was ignored and an intrusion of 15dBA is too large.

I urge you and your staff to re-consider immediately the noise regulations for wind turbines, in particular to reduce the intrusion with a noise limit of 35 dBA, to apply the cyclic noise penalty, to accept the limitation of the ISO-9613 prediction by adding 3 dBA to the calculated noise at a receptor and to insist that the uncertainty of the turbine noise, as determined by the manufacturer, is included in the ENIA calculations. There is now enough experience in Ontario to know that the regulations have to change. There is enough space in Ontario to have wind energy consistent with rational noise regulation.

A development that you may not appreciate is that there is a recent attempt by the Ministry of Municipal Affairs and Housing to use your clarification document to over-rule the wishes of municipalities in establishing their Official Plan Amendments for the development of renewable energy. As I understand it the MOE regulations provided a back-stop for all projects but individual municipalities could write their own Official Plan Amendment after consulting widely. There

was always Bill 51 but that has never been invoked. It appears that the Ontario government is now usurping this ability of local government to determine local regulation for the siting of turbines. I appreciate that the back-stop is essential because some municipalities are hopelessly conflicted and some lack the ability to stand up to the wind industry. Nevertheless, if the Ontario government is going to over-ride local Councils it is vital that the Ministry of the Environment become much more responsible in upholding the Environmental Protection Act.

Yours sincerely,

John Harrison.

Copy:

Mr. Mike Keene, Planner, Ministry of Municipal Affairs and Housing.
Loyalist Township Council.

Attachment quoted with permission:

To: Hon John Gerretsen
December 31st, 2008

Dear Sir,

I am writing this letter to urge you to put a hold on these wind farms, until your ministry does a lot more investigating.

I am hearing people in the industry say that there are no ill health effects and minimal noise is emitted. Well, come to my house Mr. Gerretsen. Stay here for at least a week, so you can experience the full array of noise and vibration level we have to live with. This sound changes with wind speed, blade direction and atmosphere, ranging from a constant irritating low hum/vibration, to a never ceasing jet flying overhead to sounding like the house has literally been dumped into a running washing machine. Try to function with minimal sleep, so disturbed, you find you are working in a mental fog. The windows are closed up tight this winter. Yes, this is winter, and yet we can hear the noise inside. Would you be able to entertain your guests or have a family barbecue on your back deck in the summer, with a tower of whooshing, gyrating noise just 450 or so meters behind you, sir? Maybe you could get used to the ringing in the ears that my husband now has to deal with.

Please don't suggest we move. Who is going to buy my house, standing in the middle of a wind farm with noises so loud you won't be able to sleep at night? If the wind comes from the east, not the west, then there is the one in the front to 'soothe' you to sleep at night. Would you buy my house sir? I don't think so. There are laws in place to protect the buyer sir, where we would have to disclose any deficiencies regarding our property. This noise would definitely count and it is the right thing to do to let people know what they are getting into. It is called

being ethical. Where was the disclosure from the company who put these turbines in so close to me? Why are there different laws for them?

This government is allowing something to take hold of the entire province, without full knowledge of the effects on people, and are letting these wind corporations run slipshod through this province like madmen.

Let me give you my own personal view of what seems to be going on with this process; Landowners/farmers are approached by energy corporations with offers of annual sums of money that may be very hard for a landowner/farmer to resist, and they tell them that this province needs green energy and what a wonderful contribution they are making, and they get them signed up. They do not knock on the door of the neighbouring non-participant landowner and give them the information that they need to decide if they can continue to live there. These homeowners really don't matter and they certainly don't want or need them slowing the process. They send a letter, and maybe a flyer. No need to register it. If it gets lost, well, what can you do? So, Mr. Farmer in the middle of the project doesn't want to participate? Maybe they tell them how all of their wonderful neighbors' have been signed up to host windmills, and that if they don't, they will be surrounded by them anyway, so why miss out on the income everyone else is getting? But, they need to make a decision before it's too late. Then make sure they get that amendment to the official plan to allow renewable energy/windmills and reassure the township that they too will be receiving a generous sum of money annually that they can put to good use. How am I doing so far? Well, looks like everything is in order now...let's have a meeting. It doesn't really matter what concerns or rights anyone has to their property, it will get talked around and maybe even a good old blank stare when answering. What's that? Those turbines sites seem too close to you? Well, we're sorry but it is all compliant with the MOE, so please don't worry about it. If it's been approved by your government, then they know what's good for you.

And so they continue and they are erected. And my husband and I do our best to embrace the intention of the windmills, and watch with wonder as roads are built and huge trucks with police escorts deliver these wonderful pieces of environmental art. And then I look out my back window and I look out my front window and look how close they are and think 'Wow...they are really close. I hope they aren't too loud'. Perhaps I can put up with the drastic change to my view all around me for the sake of green energy. I want to help the country and the environment too. And then they start them up....

So what is it that you are complaining about? You can hear noise? We're sorry that it is bothering you. These new turbines don't make much noise. As a matter of fact, the Generation Development page of the Ontario Power Authority says, "Manufacturers of modern wind turbines have also reduced noise levels to that of a quiet whisper". A quiet whisper? Oh, please....

We're sorry they're keeping you awake we are told, but we can assure you we are compliant with the MOE, and they say this noise level is fine. Well thank you for your insight, but knowing this doesn't help us get to sleep. And so they decide

to do a noise study. Can we put you up at the nearest hotel so you can get some rest, we are asked? Thanks but no thanks. We are not willing to leave our pets and it is Christmas. Well, all we can do is offer. Can you please shut down one closest to us at night so we can at least get some sleep? Sorry, it is not within my authority to do that, we're told. How about that noise study? Let's get some measurements taken. Gee....about half of the windmills were shut down when the attended readings were taken. There was little wind, and the ones that were running were facing due south, the least invasive direction to our home. Noise study is over. Please, can you just shut down that one windmill from 12am to 6am? Sorry, cannot do it.

Do you smell a bully here Mr. Gerretsen?

You people have created this mess. It's time for our leaders to stop this ridiculous green charade, with these thugs traipsing through our townships and counties. How can you leave decisions like this up to small municipalities, who know nothing about wind farms and noise levels?

Why not take some time, read the reports on health issues, talk to the people, find out what is going on in your province. You should be ashamed at the way your citizens are being treated. What do you have to say to the people that have been pushed out of their homes? I am all for green energy my friend, but not at the expense of the well being of people. What can be so difficult about finding and purchasing vacant land area, making sure it's clear of homeowners and erecting these turbines where they aren't going to bother people, pets and livestock. Or at the very least, create realistic setbacks.

What is going on is just insane. With all due respect, please get your collective heads out of the sand and start investigating. Talk to everyone, not just the ones writing the letters, or the farmers that are happy to have an additional income, talk to the non participant homeowners, who may not know where to turn to or how to approach the issue. How about talking to the farmers that feel they have been misled and are now without a voice, or the homeowners who find themselves in the middle of the farms with no input whatsoever. Chances are they afraid to speak, lest they lose everything they have worked for. Yes sir that would be me; afraid to speak out because I can't live here anymore and no one is going to buy a bungalow in a wind farm. What am I supposed to do? Our retirement home is ruined, thank you very much. While you're at it, talk to the homeowners in the Ripley area. I hear things are pretty tough there. Don't ask me their names; I don't know them, because they are too afraid to speak out. Not all of us are able, or feel free to speak up sir. Some of your constituents don't know which way to turn.

I thank you for your time and hope you can see past the whole goodness of green, and make the effort to investigate the other truths about wind farm energy. I am sure there must be other options to the placement of these farms. You have a wealth of knowledge in this province, and it is at your fingertips.

Sincerely,

Barbara Ashbee-Lormand
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