

# **WIND ENERGY PROJECTS IN WEST VIRGINIA**

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## **West Virginia still has no firm regulations and enforcement procedures related to industrial wind development**

- No state or federal statutes regulate wind developments.
- WV PSC licenses them and has "siting" regulations that ask a lot of questions but set no standards.
- WV PSC has no provisions for enforcement after certifying a project.
- US Fish and Wildlife Service has "recommended" standards.

**Bill introduced in WV Senate this year to impose moratorium on further construction until responsible rules and regulations in place.** Did not get out of Senate Judiciary Committee.

**Overview of current operating, certified, or proposed industrial wind turbine projects** With no responsible rules or regulations in place, and our scenic mountains, local property owners, and the economies of local communities threatened, CITIZENS FOR RESPONSIBLE WIND POWER, INC. and its associated local organizations are appealing PSC certificates, conducting law suits, providing information, and doing everything we can think of to keep these turbine developments from being built.  
See details and links at [www.responsiblewind.org](http://www.responsiblewind.org).

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Owner or Developer	Status	Site Area	# 300-500 ft Turbines
<u>FPLEnergy</u> Mountaineer Wind Energy <b>Backbone Mountain Tucker Co</b>	Operating	6.9 sq. miles	44
<p>-Word is that on foggy mornings right now (spring migrations), birds and bats litter the ground under the turbines. Reported to United States Fish and Wildlife Service.                      -County still trying to get company to pay tax bill as mandated.</p>			
<u>NedPower/Shell</u> <b>Mt Storm / Allegheny Front Grant County</b>	Certified /construction pending -litigation underway -appealing with PSC	12.5 sq. miles	200
<p>-While Public Service Commission pre-construction conditions of certification have not been met, land prep activities—logging, core drilling, etc.--have been underway on construction site since Xmas. Complaints have been filed with PSC but no action from them. Survey stakes site turbines within ¼ mile or less of homes.                      -WV DEP water discharge permit was granted after above activities commenced and despite the fact that application included only 81 acres of whole project (area 1). Neither environmental considerations as required under NPDES or high potential for release of acid mine drainage during construction--not considered as part of water discharge permit. Citizens for Responsible Wind Power has appealed permit to CEQ.                      -Preparations for nuisance suit against company filed by local residents (1<sup>st</sup> in nation) continue. Exceedingly expensive but good experts/testimony/legal counsel available. Decrease in property values with project primary contention. NedPower/Shell has retained four top attorneys to help them. First hearing is 4/5 in Keyser—NedPower/Shell requesting dismissal.</p>			
<u>U. S. Wind Force</u> <b>Mount Storm Grant County</b>	Certified 8/29/02 -appealing with PSC	20 sq. miles	166
<p>Wind Force recently announced sale of production from this project. Although pre-construction license conditions have not been met, the company recently announced sale of production from project. Complaints filed with PSC but no action.</p>			
<u>US Wind Force</u> Liberty Gap Wind Force LLC <b>Jack Mountain, Pendleton Co</b>	Application filed -contesting with PSC	10 sq miles	50±
<p>Massive protest from local community to this project with PSC. Several local Intervenor, including Friends of Beautiful Pendleton County, Inc.(FOBPC). See their website for updating information [hushhushrush.com]. Motion to dismiss filed by company. Local PSC hearing likely before May 31, 2006. Full PSC certification proceedings to follow. Proposed project includes 12.75 miles of transmission lines.</p>			
<u>Invenergy</u> Beech Ridge Wind Farm <b>Greenbrier County</b>	Application filed -contesting with PSC	500 sq. miles	124±
<p><b>Awe-inspiring</b> response from local residents protesting this project with PSC. As of 3/19/06 2,020 letter of protest received by PSC. Local intervenors including the local Mountain Communities for Responsible Energy (MCRE). For more update info, visit their website at: <a href="http://www.wvmcre.org">www.wvmcre.org</a>. Local PSC hearing will be 1 pm and 7pm on 4/25/06 at state fairgrounds event center (2mi. south of Lewisburg) PSC certification proceedings to follow including evidentiary hearing scheduled for 5/11-12/06.</p>			