

# IDA shies away from taking wind position

BY ANNE ADAMS • STAFF WRITER

MONTEREY — While Industrial Development Authority chairman Dave Smith agrees with nearly every argument posed in opposition to industrial scale wind energy in Highland County, he remains in favor of such a project here because he feels it will help reduce this country's dependence on foreign oil.

"We have to put the country ahead of our county and ahead of ourselves," he said.

The IDA spent more than two hours Monday night debating whether wind energy utilities are right for Highland after which most members appeared to be left wondering why they were spending their time on the matter when they were not the ones to make the decision anyway.

Monday's session, the second in which the IDA has tried to hash out issues surrounding the industrial utility proposed by Highland New Wind Development, LLC, was a series of circular arguments and resulted in little to advance the debate.

IDA members did not feel their time was well spent fulfilling supervisors' request to review the proposal, not only because they were not responsible for the final decision, but because the board already had volumes of information on the topic.

Smith said all the IDA could do was review information and pass it back to supervisors. As far as height limits, zoning, legal aspects, and economic impacts, Smith said the IDA could do nothing about those issues. "Our function is to advise the county on industrial development," he said. "They (supervisors) asked us to look at the pros and cons and outline those to them ... Why should we get involved in a contest over one vote? It's not fair to put the responsibility on our shoulders when it's the board of supervisors' decision."

Smith hopes the IDA would not render any opinion on the matter with a vote, saying it would be uncomfortable, especially if one member was a deciding vote one way or the other. The IDA should make its pros and cons list and then "turn it over to (supervisors). That's the way I think it should go. If we voted for it or against it, it wouldn't make any difference."

IDA vice chairman Richard Shamrock said

the county has a good comprehensive plan and a good zoning plan. "Why are we even here?" he said. "I think we should send this right back to the board of supervisors."

"You're right, Richard," Smith said.

"The supervisors have done this to us," Shamrock continued. "I think we should hold them to our current comprehensive plan and that should be the end of it. It's a tragedy they put us in this position."

"It's an untenable position, there's no doubt about it. And they know it," Smith agreed. "I don't feel comfortable with this. We can't make a decision on this; it's not a function of the IDA. These issues need to be addressed. It's sad to me that everybody spent so many hours on this when we're not the ones to make a decision," he said. "I don't know what we do from here other than pass (information) on to the board of supervisors."

Shamrock pointed to the notebook compiled by county officials for IDA members, saying it was packed with information supporting wind energy, but the one compiled with letters from opposing factions was thin by comparison. "It's almost as if (supervisors) are asking this board to say that's a good project," he said.

"I say we hand this hot potato back to somebody else," Smith said.

Those attending, primarily opponents of the project, were again delighted with an opportunity for discussion and the chance to express concerns and ask questions. Many of them, though, were puzzled by Smith's position. Though Smith agreed with nearly every argument about why the project would not be suitable on Allegheny Mountain, he held tight to his belief that one to three industrial utilities could be sited here and further expansion contained.

## **Allegheny Mountain neighborhood**

Tom Brody and Patti Reum sent the IDA a letter and 56 questions they believed still needed to be answered before a decision on wind energy here could be made (see sidebar).

The couple, whose home and retreat business lies directly in view of the site proposed for windmills, said they didn't expect the IDA to be able to answer all the questions, and there

were "50 times that many" still needing answers.

"Patti and I have been trying to find answers," Brody said. "I can tell you it's time-consuming. It's overwhelming. We've done years of research, and we don't really want to do it. We've been forced to do it because of our condition and our location."

Brody submitted questions because he felt they would be thought-provoking, and remind IDA members how much was involved. He said nearly every resident or landowner on Allegheny Mountain was opposed to the project, aside from HNWD developer H.T. "Mac" McBride and landowners who have signed leases with him to add turbines.

Landowner Laurie Berman said HNWD's project would turn the mountain area industrial. "It would affect all the neighbors," she said, adding it was the IDA's responsibility to help decide where industrial areas should be, and whether an industrial area fits into that neighborhood. "That's the real issue," she said.

"I think that's where the county's caught," Smith agreed, adding the county had not anticipated this kind of industry and this would be the first such wind utility in the state of Virginia. "It should be a lesson to us. Technology comes along and we ought to think about it. Something new always comes along."

## **Potential tax revenue**

Smith explained the legislation introduced by Sen. Emmett Hanger to create a consistent source of income, albeit a stream far less than hoped for, had been tabled by the House Committee on Finance, effectively killing the bill for now. That left the county with the estimate from the State Corporation Commission as the only way to get a handle on possible tax revenue.

Smith said any income from taxes could be taken away or reduced by state lawmakers and the SCC estimates were "not necessarily concrete."

Mill Gap resident Charlotte Stephenson, who heads up the citizens' group Highlanders for Responsible Development, related the group's conversation with Del. Chris Saxman. Saxman said Virginia operates under the Dillon Rule, and the state has all the power,

she said. Saxman had told them if there's money to be made (from such projects), Highland could be assured the state of Virginia would be the one making it.

Smith agreed, saying all he wanted to know was how much the county was going to get, when it would get it, and for how long. "And it's all subject to change if legislation is brought to change it," he said. "We have no power to do anything."

Smith felt the county ought to be negotiating with HNWD for payment in lieu of taxes, and that it could not do so without going through this process.

## **Zoning issues**

Smith addressed a question from Monterey resident Rich Holman, who asked how the IDA could possibly offer a favorable recommendation on the project when it was clearly not acceptable in an agricultural zone according to Highland's ordinance, zoning map, and comprehensive plan.

Smith agreed, saying it was not the purview of the IDA to reinterpret zoning or add amendments to the ordinance. He said by changing any of that, the county might as well "throw the zoning map out and put every landowner at risk." Smith represents the IDA on the committee reviewing the comprehensive plan, but the group has not yet addressed the issue of commercial wind energy.

"I developed and built all my life," he said, explaining his experiences in Montgomery County, Md. Only two questions ever came up during zoning decisions there, he said. If a person wanted to rezone property, he had to either prove the neighborhood had changed enough to justify rezoning, or prove there was an error when the zoning map was adopted. "In my view, Highland ought to start looking at the same thing," he said. "If you've got a zoning map, it ought to be gospel."

As for Highland's comprehensive plan, Smith said it ought to be followed, and he couldn't argue with the point that landowners should be able to trust their property, or their neighbor's, won't get rezoned. But Highland supervisors want flexibility, he said. "It's been the policy for Highland County, they've moved for some things that may not have been on the zoning map."

IDA member Cindy Wood said she would like to know how the project would affect the depreciation of land values surrounding it. "I think that's a consideration we need to look into," she said.

## **How would Highland benefit?**

Some attending asked IDA members what they perceived to be the benefits to Highland

County from industrial wind utilities.

Smith said that was up to everyone to decide, not up to the IDA. However, he felt there would be little benefit unless there was state tax revenue. There could be a few extra construction workers eating in local restaurants, and maybe some increase in tourism, but only for a short period of time, he said. Once the project was built, there would only be two or three local jobs according to what McBride told Smith, and the novelty of the project would quickly wear off for visitors, especially because so many projects could be built in the region. "The only economic benefit I can see is if you get the (tax) revenue," Smith said. "And there's no guarantee of that."

When some pointed out it seemed Smith was not in favor of the project, he disagreed. "I am pro-wind," he said, "but I'm not for turbines all over this county. I feel strongly about that."

Smith pointed to damage caused by coal-fired plants, saying he didn't want to see any more of those built, and he understood it would take far more than a few wind turbines to solve the problem — it would take a large combination of renewable energy resources to make the country less dependent.

Highland resident Rick Webb, a state biologist at the University of Virginia, said he agreed coal-fired plants had been an abominable industry. Webb specializes in studying the effects of acid rain. He pointed to the coal plant at Mt. Storm, however, saying in the next three years, it will reduce its harmful emissions levels by 90 to 95 percent because of the Clean Air Act. It would take an extraordinary amount of wind turbines to produce the amount of power coal-fired plants can generate.

Matching Mt. Storm's output, for example, would require 4,000 turbines, he said. In Highland County, there are only enough ridges for 1,000 turbines. Erecting all those turbines would require clear cutting swaths on top of ridges, putting property values at risk, damaging some of the country's last wild areas, all without reducing the need for coal, he said. "You'd get the full catastrophe."

"I've got a different view," Smith said, saying technology was improving and it might require fewer turbines. "Efficiency has substantially increased."

IDA member Jim White said before the authority looks at pros and cons of wind energy, it should make a list of Highland's special attributes, things unique to this area and its quality of life, and then look at how wind facilities might intrude or affect those. The IDA, he said, should make that list and ask, "Would wind just tear all that apart?"

IDA member Olin Sponaugle said he was

in favor of HNWD's project. "I'm for it because it's a new idea, and (Allegheny Mountain) is a good place to put them. I'm even thinking about putting one in myself," he said, saying he owned property on Snowy Mountain near Blue Grass.

"How will it benefit Highland County?" asked IDA member Austin Shepherd. "If we can answer that, we don't need to worry about anything else."

## **Proliferation of turbines**

"In my opinion, if you look at the wind maps, you can find other sites (in Highland) with the least amount of impact," Smith said. "I don't think there's any way you would get a proliferation," Smith said.

Smith read a letter from Webb, who asked how the county could legally prevent other projects if HNWD's facility was approved.

Smith said the IDA wasn't qualified to answer that question, and that the county attorney would have to render an opinion.

Landowner Lucile Miller said opponents of the project had already sought a legal opinion from one of Virginia's leading land use attorneys. "He said once you approve one, along with any conditions, it would be illegal, if another one came along willing to meet the same conditions, to turn them down," Miller said.

IDA member Gideon Hiner said, "Rest assured we probably can't stop others ... Are we willing to accept that?"

Hiner suspects power companies can be required to upgrade transmission capacity if new projects demand it. If that's the case, he said, "then all property in the county is open to development." He told Smith he would like power companies to answer that question. If they are forced to upgrade, it wouldn't just be McBride's right of way at risk, it would be all the way to McDowell, and possibly all the land along the Jackson River to Millboro that's served by BARC, he said.

Smith agreed it was possible, adding that power companies have the right to condemn land if necessary. If U.S. Wind Force wants to come across the state line into Doe Hill with its Liberty Gap project, "they could come through here anywhere they wanted to."

"If you think we can allow just this project, we may be fooled," Hiner said. "The whole county could be open to development of wind turbines on private land."

Smith said it was clear to him that U.S. Wind Force is preparing to extend its Pendleton County, W.Va. project into Highland if possible.

However, he said, the county could put a moratorium on further wind development even

after approving some. He would approve of a moratorium until he knew where the utilities were going, but said the county needed legal advice. "When they get an attorney, they'd better get a good one," he stressed.

### **Highland New Wind's application**

Several attending pointed out McBride's company had provided little information in its application for a conditional use permit for the project, and Smith agreed again. "If I were on the board of supervisors, I'd want a site plan. I'd want to know where each (turbine) was going. They have to do that, and (supervisors) have a right to ask for that," he said.

But, opponents contend, McBride has offered no site plan, no financial plan, and is only hoping for the permit so he can put the project up for sale. They said when McBride was asked where exactly the turbines would go, and with whom he'd signed leases to place more, he refused to say.

Mustoe resident John Sweet said it seemed to him that Smith was on both sides of the issue, and he suggested the county should turn down McBride's request for now, get the question about where wind plants might be suitable settled, and then put those areas on the zoning map.

Smith said the county should have made a decision on McBride's request already, and that McBride deserved a yes or no answer.

White said he would have real trouble approving McBride's request. He described farmers who spread manure, saying they might disturb their neighbors but only temporarily, and in a way that doesn't affect anyone except those in the immediate area. "But you put turbines in, and you affect someone's whole life," he said. "These things need to be decided based on the right reasons."

Smith said if he were McBride, he'd move the project a few hundred yards across the state line and built them in West Virginia. McBride had told Smith the project could re-sited there but McBride didn't want to.

Neighboring landowners attending said they did not believe McBride had enough property in West Virginia for the project.

### **Referendum**

From the discussion, the IDA agreed holding a referendum should be considered. "I'm leaning toward a referendum," said Shepherd, to a round of applause.

There was some confusion about how a referendum could be held, and IDA members agreed they needed to learn more.

"You can ask people which way they want it," said Sponaule. "But it might not be best

for the county."

Stephenson said HRD's collection of signatures opposed to the project had now grown to 1,500 registered voters, landowners and residents. "There has never been anything in this county that has commanded that kind of outcry," she said.

Sponaule dismissed the petition, saying people in Highland will sign anything.

"No one on that list was coerced," Stephenson said. "You're welcome to contact anyone on that list."

"They just signed it to get rid of you," Sponaule said.

Smith said he knew of people who had signed it that were actually in favor of the project. "We've got a lot of people in this county who don't want their feathers picked off one at a time," he said, explaining why those in favor are not speaking out.

### **What next?**

The IDA has added a few more things to consider before its next meeting. In addition, members will review the letter and list of questions from Brody. The next meeting is set for 7 p.m. Monday, March 28, in the Highland Modular Conference Center.

© March 11, 2005, Recorder Publishing of Va. Inc.