

Chair. Robert Foley BEP

c/o

Ruth Ann Burke

JANET T. MILLS  
ATTORNEY GENERAL



TEL: (207) 626-8800  
TTY USERS CALL MAINE RELAY 711

STATE OF MAINE  
OFFICE OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0006

REGIONAL OFFICES  
84 HARLOW ST. 2ND FLOOR  
BANGOR, MAINE 04401  
TEL: (207) 941-3070  
FAX: (207) 941-3075

415 CONGRESS ST., STE. 301  
PORTLAND, MAINE 04101  
TEL: (207) 822-0260  
FAX: (207) 822-0259

14 ACCESS HIGHWAY, STE. 1  
CARIBOU, MAINE 04736  
TEL: (207) 496-3792  
FAX: (207) 496-3291

July 14, 2014

Alice McKay Barnett  
1 Pit Road  
P.O. Box 588  
Carthage, Maine 04224

Re: *Canton Mountain Wind Appeal*

Dear Ms. Barnett:

Your appeal of the Commissioner's decision in the Canton Mountain Wind permit application has been received by Cynthia Bertocci, Executive Analyst for the Board of Environmental Protection. The purpose of this letter is to clarify the nature of your appeal. An appeal of a Commissioner's decision in an application for a grid-scale wind energy project may be filed with the Board of Environmental Protection or it may be filed with the Law Court. The caption of the appeal that you filed, which you characterize as a Petition for Review of Final Agency Action, indicates that you may be intending to file your appeal in court as that is the title of an appeal filed under Maine Rule of Civil Procedure 80C in court. However, you sent your appeal to Cynthia Bertocci, the Board's Executive Analyst. I checked with the Clerk of the Law Court today and that office has not received a filing from you on this matter, so it appears that your intention is to file an administrative appeal of the Commissioner's decision to the Board of Environmental Protection.

Please confirm in writing your intention with this appeal. If you have any questions, please do not hesitate to call me at 626-8578.

Sincerely,

A handwritten signature in cursive script, reading "Margaret Bensinger".

Margaret Bensinger  
Assistant Attorney General

cc: Mathew Manahan, Esq.  
Cynthia Bertocci  
Erle Townsend

2014 JUL 17 PM 1:06

RECEIVED  
MAINE D.E.P.

Alice McKay Barnett

Petitioner

V. Department of Environmental

Protection, Respondent

V. Canton Mountain Wind, LLC

Petitioning against the (page 18, CMW permit, June 2014) F. Complaint Response.

As outlined in chapter 375 (10)(I)(7)(j) the applicant must establish a toll free complaint hotline designated to allow concerned citizens to call in noise related complaints 24 hours per day, 7 days per week.

I object to this ruling and feel a complaint hotline should be in the hands of local health officials.

**Spruce Mountain Wind has shown that the developer is not responsible to collect data of complaints.**

Petition for  
review of final  
Agency action.

1. "A mouse did eat the wires and data was not available for the date of the Concord Pond resident's complaint. "  
 Dawn Hallowell, Licensing & Compliance Manager, Central  
 Maine Region Department of Environmental Protection  
 17 State House Station | Augusta ME 04333

2. Citizens' were forced to write letters of complaints of the adverse impact of noise from SMW.

a.) <http://woodstockwindordinance.blogspot.com/> 1.

b.) <https://www.wind-watch.org/news/2012/07/29/spruce-mt-wind-neighbors-complain-of-aircraft-sound/> 2.

c.) Wrong hotline number.

3. Developer demonstrates the control of noise by acquisition of noise easements.

a.) Top of page 10 CMW permit 2014...."demonstrate compliance" ..... "acquisition of three more noise easements" .....

b.) Tom Childs, Chair of Dixfield Planning Board, asks Tom Carroll (Community Outreach for patriot Renewables) asks "How did you achieve a 42 decibel sound limit?"

Tom Carroll answers, "We bought property and came to sound agreements with others." \_ Nov 21, 2013.

- c.) The noise easements are perpetual and may cause harm to the children of the future.

I request local Health officials maintain a hotline (at the expense of the developer) as they know the local area and the citizens who reside in the impacted zone of Industrial Wind Turbines. Local Health Officials could respond directly to complaints on Hotline and then ask County and State for help. "Public Health Nurses continually work to improve the health of individuals, populations, cultures and communities."

A public health nurse can enforce laws and regulations.

<http://www.maine.gov/dhhs/mecdc/population-health/phn/index.htm>

3,

## The DEH and the CDC offer no help.

1. The following DEH/CDC page was outdated on reviewing July 1, 2014.

<http://www.maine.gov/dhhs/mecdc/environmental-health/wind-turbines.shtml>

4.

Oregon and Massachusetts delivers a “page not found” notice. Vermont’s study was done in 2010. For more information you are directed to a 2009 analysis of Wind Turbines and health issues. This State site is outdated.

- 2.) The developer and the DEP are not health “experts.” The following three reports are Peer” reviewed. Noise from a Wind turbine is a Health issue.

<http://www.noiseandhealth.org/article.asp?issn=146>

5.

3-

1741;year=2012;volume=14;issue=60;spage=237;epage=243;aulast=Nissenbaum

2.)

<http://bst.sagepub.com/content/early/2012/07/30/0270467612455734.abstract>

6.

3.) <http://www.ehjournal.net/content/10/1/78/>

7.

I would also like to strike the word “expert”, page 9, line 4, from the CMW permit. These firms are paid consultants. Not experts. Per order of Bower’s Mountain up hold of denial of Champlain Wind permit, June 5, 2014.

**In addition I will add that the following Citizen’s, living with-in 2 miles of the CMW turbines, have asked that no**

**harm done their property.** Harm includes light pollution from Flicker and Red, Flashing Lights. Harm includes audible wind turbulence noise levels, air turbulence, sound wave emissions (included but not limited to infrasound) disturbance, or emanations of any kind of nature that are created in the ordinary course of operations of Canton Mountain Wind Facility. They do not want diminished property value.

Albert Chouinard  
P.O. Box 74  
East Dixfield, ME 04227

Shane and Dana Morse  
306 Morse Hill Road  
Jay, Me 04239

Jeff Haynes  
P.O.Box 82  
East Dixfield, Maine 04227

Robert Preble  
225 Canton Mountain Road

Canton, Maine 04221

Respectfully submitted,

Alice McKay Barnett

*Alice McKay Barnett* 7-17-2014

1 Pit Road P.O. Box 588

Carthage, Maine 04224

207 418 4404

[mckaybarett@gmail.com](mailto:mckaybarett@gmail.com)

V. Department of Environmental Protection Permit  
for Canton Mountain Wind dated June 2014