

# Lies My Wind Developer Told Me

By Kevon Martis -- February 25, 2022

**Ed Note:** *This post is based on a February 5, 2022, speech by Kevon Martis at Montcalm County Citizens United's "Big Wind Go Home" rally in Trufant, Michigan.*

*"Lesson learned: Wind developers are not a reliable source of information when devising a wind ordinance. They will say whatever it takes to get their projects approved, even if they contradict themselves the next town over."*

The wind zoning regulations demanded by Apex Clean Energy company (APEX) in Montcalm County are demonstrably irresponsible and should be resisted.

APEX will no doubt make great hay out of my speaking at a rally called Big Wind Go Home and, in fact, [APEX land agent Dan Paris](#) already is. But I am here to tell you that it is your fundamental right to tell government-created, unnecessary, invasive Big Wind: *You are not welcome here on the terms you propose. If you do business here in our county, the terms by which you do business will be dictated to you by us and not the other way around. And we will not be bullied!*

Permit me to tell you some stories where mistruths, call them *lies*, occurred..

## 1. Shifting Setbacks

I have been involved in wind-energy land use regulation since 2009 when a wind project was proposed for my southeast Michigan township. There were two developers: Exelon and Juwi Wind. At that time, I was still a planning commissioner in Riga Township, in Lenawee County. Wind energy was new to me, as it was largely to the entire state. Only a handful of turbines had been erected, primarily in Huron County. They were relatively small, 390-foot tall, compared to the 600-foot-plus designs we see today.

At one particular hearing, both Exelon and Juwi Wind presented their recommendations for regulations for wind energy. Juwi salesman James Manning stated that he wanted 1,000-foot setbacks from homes to their turbines and a 55dBA noise limit for turbine noise. That noise would be measured at the homes, not the property lines.

Then acoustic consultant Peter Guldberg spoke on behalf of Exelon, wanting 1,320-foot setbacks from turbines to homes and 45dBA noise limits for turbine noise, also measured at homes, not property lines. He assured us these regulations were safe.

I asked him if he was prepared to state that the regulations his competitor was recommending were unsafe. He said: "Yes I am!"

But a few months later, Guldberg was in Mason County, Michigan, working on the behalf of Consumer's Energy. There, he supported noise limits and setbacks for their project that he had pronounced "unsafe" when proposed by Juwi Wind.

Lesson learned: *Wind developers are not a reliable source of information when devising a wind ordinance.* They will say whatever it takes to get their projects approved, even if they contradict themselves the next town over.

## **2. Farmer Assertion**

Next, in my township, our former County Commissioner, a farmer, stated: "wind is subject to the Right to Farm Act because it is a wind farm." It turns out that that is not true now and was not true then. But developers and their leaseholders continue to make this claim even to this day.

N solar developers have picked up that theme as well. Another lesson learned: County Commissioners are not always a reliable source of information when tax revenue is in play.

## **3. Federal-control Straw Man**

Then we heard leaseholders start the chant: "You better let the developers have their way with you or the State of Michigan is going to take away the power to regulate wind development."

I first heard this mantra in 2009, and it has never stopped—not for wind or solar. I even went so far as to have an amendment added to the 2016 State energy bill that reaffirmed local control of wind development, irrespective of any renewable energy mandate. But the lies persist: the State is going to take away your right to regulate wind if you don't give in.

In my mind, it is like someone saying: "You better let me physically assault you today because if you don't, the State may legalize assault in the future."

I think I will resist the assault today and take my chances on the future. And for the past 13 years, that has been the right bet. The State of Michigan has no appetite to take away local control of renewable-energy zoning.

A third lesson learned: *Leaseholders are unreliable sources of information for township officials.* And that is because you will never learn the truth from a person whose paycheck depends upon not knowing the truth.

## **Interstate Informed Citizens Coalition**

My term was expiring as a planning-commission member. The township supervisor had it in for me, and he would not re-appoint me even though the rest of the planning commission and many citizens supported my re-appointment. As a result of the experiences I just shared, I knew that our township folks needed to be better informed about the negative impacts associated with turning an entire township into a 50- or 60-story tall power plant.

So I reached out to a number of folks in our community, and we had our first meeting the day after my term as planning commissioner was officially over. About a dozen of us met.

That is where I first had a chance to get to know my friend and attorney Joshua Nolan. He had just bought a home in Sylvania, Ohio, and his back property line abutted Riga Township right on the Michigan-Ohio border.

He and his entire subdivision were going to have turbines in their backyard. As an attorney, Josh advised us to incorporate as a group, out of fear that Exelon or Juwi or Consumers Energy would sue us for our opposition. As it turned out, that risk is fairly low. But we took that advice and created a new entity: the **Interstate Informed Citizens Coalition**.

Developers often make a big deal about our organization having the word “interstate” in its name. In their minds, it is proof of national collusion and funding. But we are called the Interstate Informed Citizens Coalition simply because the proposed wind project would affect people in two states.

## **IICC Activism**

Our first action was to put together an informational meeting for our community. At our own expense, we brought in independent experts on property values, noise, energy policy, and legal issues. Word got out about our meeting, and we had more than 300 people attend. Many traveled from across Michigan, including farmers from the Thumb area. It was at this meeting where I first met my friend Cary Shindelcker from Ludington, Michigan, who later moved out of his home due to wind turbine noise in the same project that Peter Guldberg had pronounced “safe.”

The IIRC informational meeting took place during a snowstorm. Local union toughs came to picket our meeting. They lied to the people in the parking lot. They told them that the meeting had been cancelled due to snow. We had to call the police to remove them.

We had two last-minute additions to our speaker list that day. The first was a couple from DeKalb, Illinois: the Hulthein Family. They drove five hours each way from Illinois in that same storm to warn us about what it was like living near wind turbines.

I will never forget Stephanie weeping as she talked about perhaps having to move out of their beautiful new home due to the wind turbine noise. They played a video of the turbines and the sound they make when they are iced up. Our township clerk said to Stephanie “They told us the turbine shut down when they get icy”. Stephanie said: “Yeah they told us that too”.

The other surprise visitor was Kelly Alexander. He showed up unannounced. He had driven all the way from Mackinaw City, Michigan, to speak to us. You see, he lives near the two small turbines you see at the Mackinac bridge. He said the turbine noise drove him crazy, and his local developer mocked him when he complained. After he told his brief story, he got into his truck and drove five hours back home in the snow. Neither he nor the Hultheins would take any pay for their travel expenses.

That is when it clicked: Who would drive hours out of their way in bad weather *for free* to a community where *they knew no one* just to lie to us about wind turbines? No one would.

I spoke very little at that meeting. But I did say one thing that caught people's attention. I said "No one has ever come to a planning commission meeting and said the light coming through my windows is too steady. Could you make it flicker once a second? The night time noise level around my home is too quiet. Could you raise it from 25 decibels to 55? And my property values are too stable. Could you construct some 50-story industrial machines near my home to place those values at risk?"

Ultimately our Township adopted reasonable regulations for wind development. Those regulations permit wind development. But unless the developer gets the consent of the neighbors who would be most affected by turbines, the cost of development is high. I thought that was fair then and I think it is fair today. It is a free-market solution to a difficult zoning problem.

And it is because of my experience with developers and because of our experience as a township that people started asking me to come to their community and speak.

### **Future Activism**

And just like the Hultheins and Kelly Alexander, I continue to pay it forward. I have personally borne substantial financial costs over the past ten years as I share my story about how to equitably regulate wind development so that no one experiences what my friends the Hultheins and Alexanders and Peplinskis and Shineldeckers and Hartkes and the late Gene Champagne and so many others, way too many others, have experienced.

And it is because I have made an impact with respect to helping communities protect themselves from irresponsibly sited wind projects that I am demonized by developers like APEX. They fear my experience, and they fear my knowledge, and they will do anything to prevent my words from being heard by policy makers like your township and county officials.

They will:

- Go to any lengths to separate you from information critical to protecting the health, safety, and welfare of your community.
- File SLAPP suits like they did to my friend Esther Wrightman in Ontario.
- Subpoena your phones and PCs like NextEra did to me and my friend Norm Stephens.
- Operate fake news organizations like the APEX-funded Checks and Balances Project, and falsely tell the world that Norm and I are being paid with dark fossil-fuel money, when in fact it is the developers who are awash in fossil-fuel money. And when that no longer works, they will call you Nazis [like Dan Paris did](#).

### **Conclusion**

But I have another descriptor for good folks like you: **Patriots!**

Years ago I stood at the back of my township hall and was waiting to give my three minutes of public comment. An elderly farmer took me by the arm and said: “Speak for me Kevon, speak for me!”

I did speak for him that night and I continue to speak for him today.

And today I say to all of you brave folks here today:

“Speak for those who cannot speak! Knock on doors when you are scared to knock! And stand up in meetings and speak the truth even if your voice shakes or you cry like a big fat dummy like me!”

**God bless you and FIGHT ON!**