

## NEWS LOCAL

# Will the Armow Wind project make people sick? Closing arguments given at tribunal hearings



By Steven Goetz, Kincardine News  
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Samsung Pattern Armow Wind Power Project map from November 2012, spanning Kincardine and Bruce townships in the Municipality of Kincardine. (ARMOW WIND)

Will the Armow Wind project make people sick?

It's a simple question, but the answer has proven anything but at hearings held into Samsung-Pattern's approved 92-turbine, 180 MW wind farm.

The environmental review tribunal (ERT) - tasked with deciding if the project should go ahead - heard final statements on Feb. 21 from lawyers representing the director of the Ministry of the Environment (MOE), the wind company, and Ken and Sharon Kroeplin, the couple who filed the appeal.

If the project goes ahead, a wind turbine will be placed within 600 metres of the Kroeplin's home.

"I am concerned with my health," Ken Kroeplin said in November before the hearings got underway. "There is too much propaganda out there that [industrial wind turbines] don't cause any health problems," he says. "That is not true."

He is worried he will be forced to leave his home like people in the Ripley and Underwood areas. "People are moving out of their houses because they can't live with it."

The Ministry of the Environment (MOE) approved the project on Oct. 16. The project area covers the northeastern portion of the Municipality of Kincardine from Highway 9 north towards Tiverton.

The Environmental Protection Act allows appeals of approved renewable-energy projects to an ERT. Successful appeals must show a project will cause "serious harm to human health," or "serious and irreversible harm to plant life, animal life or the natural environment." The Kroeplins' appeal is based solely on the question of human health.

The lawyers and a couple of dozen concerned residents gathered at the municipal administration centre on Feb. 21 to hear final submissions.

Asha James, lawyer for the Kroeplins, defended the testimony of witnesses reporting headaches, insomnia, ringing ears and heart palpitations since the construction of turbines near their property. She argued an inference can be made, without a diagnosis, that the turbines were responsible. "The symptoms experienced by the post-turbine witnesses indicate that, but for the turbines, they would not have suffered any adverse health effects."

She pointed to a Health Canada study started last May to investigate the impact of low-frequency noise and vibrations from wind turbines, which is expected to be published this year. She asked why the Canadian government was spending money on such an investigation if it was improbable turbines affect health. Knowing that and having received hundreds of reports from residents, why does the provincial government continue to approve new projects, James asked.

Jeremy Glick, counsel for the MOE director, said the evidence presented by the Kroeplins and in testimony from the post-turbine witnesses failed to prove causation and should be dismissed, and he asked the tribunal to review previous appeal decisions, which have never accepted such testimony as proof of cause. He also noted the noise expert called on behalf of the Kroeplins had appeared at other appeals and failed to convince those tribunals.

"None of the testimony comes with a medical opinion from a medical professional," he said, but medical experts appearing on behalf of the MOE and Samsung Pattern said the conditions created by wind turbines are common elsewhere in society. "The evidence in this case does not prove wind turbines cause serious harm to human health, so the appeal should be dismissed."

Sarah Powell, counsel for Samsung-Pattern, echoed much of the MOE lawyer's arguments, adding that the Kroeplins were trying to get around the requirement of proof by arguing wind turbines cause annoyance. "They are still required to prove that annoyance causes adverse health effects."

James was allowed to provide a rebuttal and she argued the tribunal was not bound by previous tribunal decisions, and her case did not argue that symptoms reported by post-turbine witnesses indicated a specific disease requiring a diagnosis, but that the symptoms themselves were adverse health effects. "An inference can be drawn from the evidence of the post-turbine witnesses that the wind turbines caused adverse health effects," said James. "Their medical records will bear this out. There was no other reason for these symptoms to occur."

She challenged the renewable energy approval process, and said it has failed to protect human health. "The only recourse [for people living near wind turbines] is - if they have enough money - to move. If not, it's a life sentence."

The tribunal expects to publish their decision by April 23. If successful, the appeal would be the first ever, though not for a lack of trying. Anti-wind activists have offered a laundry list of theories for what could be causing the widely-reported symptoms - infrasound, low-frequency noise, vibrations, the "flicker" effect, electromagnetic fields, stray voltage and "dirty electricity" - without any success and giving the ERTs a reputation amongst opponents as a rubber stamp.

Kincardine council passed a wind power development policy in 2011, establishing setbacks of 800 metres from residences and three kilometres from primary settlements. But the province's Green Energy Act (GEA) removed local planning authority related to renewable energy projects, so Samsung-Pattern is not obligated to follow Kincardine's setback policy.

At least 76 other municipalities in Ontario have passed resolutions, motions and bylaws aimed at restricting wind turbine developments, and Kincardine council hopes to get them on board a coalition to collectively fund a noise nuisance bylaw to regulate the turbine noise emissions under powers in the Municipal Act left untouched by the GEA. Kincardine has already committed \$30,000 towards a war chest to defend the bylaw from expected court challenges.

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The records show that none of these "adverse effects" show up in communities that do not have organized protests against the wind turbines. They only show up in areas where activists get the community all agitated. Check the record of communities in Australia and Germany where they have a much longer history of wind farms. There are no medical issues. Strange - is it not?

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