

March 3, 2015

To: Chowan County Commissioners

From: Chairman, Chowan County Planning Board

Gentlemen,

The majority of the Chowan County Planning Board believes that it is their statutory obligation to review and, as necessary, recommend modifications for the Chowan County Wind Energy Facility Ordinance 8.110 — so that it will properly address the health, safety and welfare of all Chowan County citizens, businesses and environment. Article 1, 1.02 of the Zoning Ordinance further states that the Ordinance must “provide the economic, social and aesthetic advantages resulting from an orderly, planned use of land resources.”

In addition to this being our obligation, we also recognize that if we do not do a competent job here, that we may have substantial legal exposure. Chowan County representatives could very well be sued and held personally liable for any health and financial losses that are experienced by citizens proximate to future Chowan County industrial wind energy development. (Reference Federal Statute Section 1983 for an example of such a potential legal liability that we are exposed to.)

As background, for your information, the initial formal promotion of industrial wind energy in North Carolina, started in 2002, when the “North Carolina Wind Working Group” was formed.

This effort was coordinated by wind energy advocates at Appalachian State University, and consisted of various NGOs (e.g. Southern Alliance for Clean Energy), as well as wind energy developers. The stated sole focus of this group was to aggressively push for as much wind energy as possible in North Carolina.

These promoters generated various reports, and eventually a “model ordinance” was produced. This became the basis for various NC counties (including Chowan) to use for their local wind law.

What needs to be clearly understood is that this entire lobbying effort was about promoting industrial wind energy. For example, at no time has their marketing website shown studies by independent experts, on the many issues of wind energy.

So, when Chowan County wrote their initial wind law in June 2011, it was basically a document written by wind energy lobbyists, for the benefit of wind energy developers. No independent experts (physicians, acoustical professionals, chiropterologists, ornithologists, utility engineers, physicists, financial PhDs, real estate appraisers, agricultural specialists, attorneys, etc.) provided any official consultation, or balance to the promotional efforts of the *NC Wind Working Group*.

When Chowan County updated their wind law in Dec 2013, a similar format was followed. The wind developer, for the exclusive benefit of the wind developer, drafted the words. Again, no consultation by independent experts was solicited or received.

The net result of this methodology that brought us to the beginning of 2014, is that at **no time** has the focus of local representatives been on protecting the health, safety and welfare of Chowan County citizens, businesses and environment.

This omission is particularly disturbing when one realizes that there have been several hundred studies published by independent experts that have carefully spelled out numerous technical, financial, health and environmental liabilities of industrial wind energy.

Since there was some confusion in the Chowan County Commissioner's 3/2/15 meeting on the "rules" for this Planning Board effort, let me clarify the following five points...

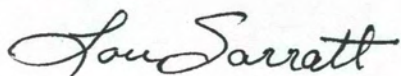
- 1 - We will **not** agree to be limited by artificial and arbitrary constraints on this effort (e.g. restrictions as to who we can consult with).
- 2 - We will **not** agree to be held to a higher threshold in our reevaluation of the existing Chowan County wind law than what was established at the time of its creation.
- 3 - We will **not** be using as a template, other ordinances that have likewise been written by the wind industry, for the benefit of the wind industry.
- 4 - We **will** pay close attention to wind ordinances (anywhere in the US) that have been carefully and independently researched.
- 5 - Finally, we **will** commit to recommending an updated wind ordinance that is written for the protection of local citizens, businesses and the environment.

Of course our work here is predicated on the assumption that the Chowan County Commissioners, and the county's other staff, are likewise committed to protect the health, safety and welfare of all local citizens.

With all of us being on that same page, we appreciate their anticipated constructive support, and look forward to completing this important task in a timely, competent manner.

We firmly believe that this will be a productive, rewarding effort. We would like to have Chowan County known as leaders in protecting the rights of its citizens.

Sincerely,



Lou Sarratt
Chowan County Planning Board Chair
3/3/15

CC:

Kevin Howard, Chowan County Manager
Landin Holland, Chowan County Planner
Chowan County Planning Board
John Morrison, Attorney for Chowan County
Reggie Ponder, Editor, Chowan Herald