Chair Lessard and Members of the Bureau of Environmental Protection;

As the discussion of new sound regulations for our state draws to a close I need to share several final points that have come into focus for me as, hopefully, change is imminent.

1. **Any new noise regulation is only as good as its enforcement.**
The burden of proving compliance should fall squarely on the industry. Proving compliance should not be the burden of the private citizen, nor should it be the burden of the state to pick up the tab for the industry’s legal responsibilities. As we all learned at the July 7th hearings, the wind industry is constantly monitoring the production data of each turbine. **They have the data.** It seems a practical solution that the DEP have real-time access to turbine data. It then becomes a simple matter to confirm or negate an exceedance.

I would go further and suggest that wind projects submit monthly reports to the DEP. Certainly these reports would corroborate whether new regulations are in fact protecting residents in proximity to a wind development and help fine tune sound protocols. Additionally having turbine data made public would allow noise levels to be tracked by all residents and, at the same time, take the economic burden off the private citizen for collecting and reporting exceedances. This would provide an accurate base of discussion for all parties.

2. **Decibels are dollar signs to a wind developer.**
The harder the turbines run the more money they make (or, as in Vinalhaven, the less they lose). That money is made on the backs of nearby residents who, astoundingly, have to constantly stand up to remind a variety of state agencies that, although not a corporation, human beings have certain rights to a basic quality of life in a safe environment. The proposed 42 dBA will not even begin to change the toxic soundscape that turbines produce. Future industrial wind should develop their sound models at 35dBA. **That’s a 10 to 15 dBA concession to the silence that the landscape once enjoyed.** A 35 dBA limit might provide animals with the ability to hear a predator behind them and it might give human animals the chance at a restorative night’s sleep.

Not providing reasonable levels of sound protection for this state is, to me, saying that the state will mandate a certain percentage of human lives as another form of “take” for the wind industry (ref. Fish and Wildlife permits required for raptor takes). After all the subsidies, after all the TIF’s, after the winks and nods about devastating vernal pools, decimating bat populations, and permitting for bald eagle “takes”, are citizens about to become another in the list of permissible “takes?” How many lives will be acceptable? Do
we have to die or will heart attacks, stress related illnesses, sleep deprivation, and in the case of the children taking sleeping pills each night, drug dependency count as a “take”?

The regulations that you decide on will literally determine whether men, women and children will become a number on a ledger sheet of “takes” for each wind project. New standards will sound a call that it is time for a partnership between the wind industry, the state, and its residents: a partnership that can work with compromise, reason, and respect. Whatever regulations are determined must also have viable enforcement behind them.

My life, and the lives of many of my friends and neighbors back on Vinalhaven, as well as many around the state, have fallen through the cracks of state regulation. We are powerless in the face of antiquated sound regulations made before the wind industry appeared in its cloak of many subsidies. We know that wind is in Maine because the sound regulations are outdated. We know that correcting this takes time. But as each day rolls by and more projects start up there will be more lives that are impacted forever. Patience is not the virtue I was led to believe. We need your action, we need your intellect, we need your wisdom...and we need it now.

I urge you to use the 35 dBA standard for night time noise and to provide the DEP with the tools to implement and enforce any new regulation.

I offer my gratitude to each of you for your service to this glorious state.

Respectfully,
Cheryl Lindgren
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