

# Water authority votes against wind farm

By DAN DiPAOLO  
Daily American 30 North Chief

WINDBER — Windber Area Authority members voted to oppose a wind turbine project slated for the Shaffer Mountain area over concerns that the watershed will be negatively impacted.

However, the move was largely ceremonial as the authority's legal right to restrict operations on the watershed land have already been enacted, solicitor James Cascio said during Wednesday's meeting.

The authority, under a 1989 land use agreement with primary landowner Berwind Natural Resources Corp., of Philadelphia, has only the right to approve or approve with written conditions the terms of any use that would impact the watershed, he said.

In January, the authority asked in writing for restrictions and specifications of the project regarding the watershed, and the developer, Gamesa Energy USA, has complied with that initial request, he said.

At the time, the authority's main concern was the proximity of several turbines to authority wells.

Authority Manager Dennis Mash said that the authority has a total of seven wells, including two along Cub Run and three along Shade Creek.

Many of them run more than 300 feet below the surface, he said. More than 1,000,000 gallons of water per day are drawn from the well system into area water supplies, he said.

Wells No. 2 and No. 3 located along Cub

Run, a high-quality trout stream, are within 3,000 feet of the closest windmill and the authority asked geologist James Casselberry to determine any impact surface operations and soil disturbance would have on water quality.

Members are now worried about other environmental impacts the turbines could have on the larger watershed including that of endangered species, spring disruption and wetland destruction.

Chairman William Oldham said that as more information is publicly released, the more concerned he is with the project, which is slated to bring 30 turbines to the mountain.

The site's extensive road system and other details like the potential for a concrete batching plant worry him.

"I think that we haven't been told enough. I'm against them," he said.

The board subsequently voted 5-1 against the project as a whole. That makes the authority the fourth governing body to make a resolution publicly opposing the watershed project in recent months.

Paint Township supervisors, Paint Borough council and Windber Borough council members have all voted against the project since February.

Where that leaves the project is still to be determined said Project Developer Tim Vought, who represented the company at the authority meeting.

"I don't know what the implications of the vote tonight are," said Vought.

He said a public response would be made to reporters and other public officials at a cor-

porate level later this week.

For now, Gamesa, who owns the subsidiary company Shaffer Mountain Wind Farm LLC., entered the final permit cycle for the project.

The company filed for permits March 5 with the Somerset County Conservation District, starting a process that could take several months.

The district will first review the application for completeness and if it meets those criteria, then it will enter a technical review of the project's erosion control plan, he said.

That process could take as little as 50 days or much longer, depending on how many clarifications and resubmissions Gamesa is asked to perform.

After those reviews, the plan will be sent to DEP for an individual review because of the nature of the project, said Keith Largent, an erosion and sediment pollution control technician for the agency.

"Any time a project affects a high quality watershed, which this does, the DEP is required to do an individual review," he said.

Company officials are confident the environmental regulations pertaining to the project have been met and hope to break ground later this year, Vought said.

The wind farm, which is projected to extend through parts of Shade and Ogle townships in Somerset County and Napier Township in Bedford County, has been subject to extensive studies by Gamesa and should meet environmental standards, company officials have said.

However several residents who own land adjoining the properties have already made it clear the project will meet legal resistance if it is not modified drastically.

On March 2, Tucker/Arensburg Attorneys, of Pittsburgh, issued a notice of intent to file suit with federal and state agencies over environmental concerns including the possible killing of migrating Bald Eagle and Eastern Golden Eagles by the project.

Among their concerns is that the project, which will run along the Allegheny Front of the mountain, will impact migrating bird populations including that of the endangered Bald Eagle and Eastern Golden Eagles, environmental attorney Bradley Tupi said.

Another potential issue is the possible damaging of the Ethel Creek spring head which provides high-volume, high-quality water for a local fish hatchery, he said.

Property owner Jack Buchan, who initially retained the legal representation, said the move gives the residents 30 days with state agencies and 60 days with federal agencies to file suit.

The Secretary of the Interior, U.S. Fish and Wildlife Service, Secretary of Commerce, state Department of Environmental Protection and state Attorney General's offices were among those receiving letters.

Buchan said that he is not against wind turbines, but that the location Gamesa chose is not a good fit for what they're trying to do.

"I don't think they have bad intent," he said. "These things have their place, just not there."

(Dan DiPaolo can be contacted at dand@dailyamerican.com.)

WINDBER — A pamphlet opposing the Shaffer Mountain wind farm sent to 5,100 Windber Area Authority customers has board members upset about the use of the authority's name and contact information.

"We're overburdened with calls today and our name is plastered all over it," Manager Dennis Mash told the board during Wednesday's meeting.

Copies of the eight-page glossy mailer, which also features a Daily American article reproduced without permission, were brought to the meeting by Windber resident Joseph Cominsky.

Cominsky has been an ardent foe of the Gamesa project and has traveled to scores of meetings talking about his environmental concerns with the proposed development.

The public proselytizing has been so effective that in the last several months, a number of local groups and municipalities have come forward to oppose the 30-turbine wind farm, which is projected to extend through parts of Shade and Ogle townships in Somerset County and Napier Township in Bedford County.

However, the glossy mailer might have been going a bit too far for the authority. While Cominsky maintained only that concerned citizens were behind the pamphlet, he would not give the board a phone number for people to contact if they had issues with the mailing.

"There's a P.O. Box on it. I think it's very clear," he said.

The board wanted more than an address to give people calling the authority.

"Who is accountable? Who should they

*(Dan DiPaolocoan be contacted at dand@dailyamerican.com.)*

*Editor's note: The Daily American was not aware of the planned production of the flyer and did not give permission for any of its copyrighted material to be used in that publication.*

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City Editor Christine Schirato — 444-5900

30 NORTH

# Anti-turbine pamphlet

news@dailyamerican.com

## concerns authority

call? A number and a name," solicitor James Cascio said.

He said the biggest problem with the pamphlet is that it doesn't accurately recount the authority's role in the project.

"The authority's been disserved because the whole story's not here," he said.

The authority, under a 1989 land use agreement with primary landowner Berwind Natural Resources Corp., of Philadelphia, has only the right to approve or approve with written conditions the terms of any use that would impact the watershed, he said.

In January, the authority asked in writing for restrictions and specifications of the proj-

ect regarding the watershed and the developer, Gamesa Energy USA, has complied with that initial request, he said.

At the time, the authority's main concern was the proximity of several turbines to authority wells. He said the project is now in the hands of the state Department of Environmental Protection for review of the impact development would have on other aspects of the mountain and its wildlife.

Cominsky responded that the pamphlet was designed to increase public awareness about the project and the environmental abuses he contends are already taking place there.

Cascio said the authority was confident the

DEP would conduct a thorough review. "Are you saying that the DEP only applies its rules when the public makes noise?" he said. "The authority has already done what it can do for this project."

Cascio went on to recommend to authority members if they receive any more phone calls, to give callers Cominsky's phone number.