

**PUBLIC MEETING OF THE
NH SITE EVALUATION COMMITTEE
Comments by LISA LINOWES * December 11, 2023**

Chairman Goldner, members of the SEC, thank you for the opportunity to speak today. For the record, my name is Lisa Linowes. I am a resident of the state of New Hampshire.

My testimony addresses noise compliance as referenced in the Administrator's October 11, 2023 report and the handling of a noise complaint filed by Janice Longgood on or around May 1, 2023. The details of the Subcommittee's actions on her complaint are summarized in paragraphs 18 and 19 of the Administrator's report.

Before I get into my testimony, I would like to respond to statements made at the June 7th SEC meeting that have a direct bearing on my testimony today.

At the June 7th meeting of the SEC, Mr. Dell'orfano repeatedly argued to this committee that NH Site 301.18(i), which requires noise complaints to be validated under the same meteorological conditions as occurred at the time of the complaint, could be waived by the Administrator and by the Subcommittee, acting in that capacity as Administrator, to hear and consider these complaints.

To be very clear: There is no language in NH Site 301.18(i) or the SEC rules generally, or Jus 803.03 or in RSA 162H, that grants the Administrator the power to waive rules. Mr. Dell'orfano misread NH Site 301.18(i) and he misled this Committee.

While the presiding officer of the Subcommittee can waive rules, the authorizing order that formed the Subcommittee did not grant the Subcommittee such power nor was there any reason for the Subcommittee to act on that power.

However, presiding officer Evans and the Subcommittee did something far worse. They looked the other way when the contractor, HMMH, ignored NH Site 301.18(i) and two other SEC rules, specifically NH Site 301.14(f)(2)(a) and NH Site 301.18(e)(1) when conducting its complaint validation study.

As I will detail in a moment, had the Subcommittee enforced the SEC rules as written, the HMMH study would have shown that the Antrim turbines are producing noise exceedences at Ms. Longgood's property and similarly situated properties.

Janice Longgood (156 Salmon Brook Road) is an immediate abutter to the Antrim Wind facility at just 3600 feet from turbine #5 and within the line of sight of multiple other turbines. Ms. Longgood's complaint states that she is experiencing high turbine noise levels at her home.

HMMH acoustician Christopher Menge did not measure turbine noise at Ms. Longgood's residence as required under NH Site 301.14(f)(2)(a). Instead, he placed his microphones more than ¼ mile further away and took measurements during periods when most of the turbines were operating at, or below 50% power, in violation of NH Site 301.18(e)(1).

Yet, according to the Administrator's report at paragraph 19, the Subcommittee dismissed Ms. Longgood's complaint based on Mr. Menge's claim that his study's findings "are valid even though conducted from state property, because the wind turbines are a "line source" of sound, "sound levels drop off fairly slowly with distance from a source like that." He also adds that "given the distances that we measured and the distance the homes were I think the difference in sound level would be very small, certainly less than a decibel."

Mr. Menge's general reference to "line sources" and his off-the-cuff assertion that line sources do not decrease rapidly over distance are gross simplifications of noise propagation in a complex environment. Mr. Menge has no data to support his claim as it relates to the Antrim facility. More importantly, his statement is contradicted by the sound propagation model prepared by Antrim Wind that showed that facility's sound emissions would drop off by as much as 3 decibels between Ms. Longgood's property and where Mr. Menge sited his microphone.

Mr. Menge measured nighttime turbine noise of 39.2 decibels (Leq 5 minute) more than ¼ mile further away from the turbines than Ms. Longgood's home. Even if we were to accept his claim that noise levels at Ms. Longgood's property would be about what he measured, those levels would be over the SEC's 40 decibel nighttime limit. Applying Antrim Wind's propagation model, which he should have done, the noise at Ms. Longgood's home would be at least 3 decibels higher or 42.2 db.

Given the nighttime turbine noise levels HMMH measured, more than a ¼ mile further from the turbines than Ms. Longgood's residence, we can reasonably conclude from the data that the Antrim Wind turbines are exceeding the SEC nighttime noise threshold.

Ms. Longgood submitted a valid noise complaint to the Subcommittee. The Subcommittee's basis for dismissing the complaint was not valid and its deliberate ignoring of the SEC rules is unlawful!

Finally, paragraph 19 of the Administrator's report describes the Subcommittee's attempt to bolster the validity of the HMMH study by referring to the Cavanaugh Tocci sound survey conducted in 2020 at locations on Reed Carr Road. Cavanaugh Tocci cannot validate HMMH for the simple reason that the methodology followed by Tocci bears no resemblance to that followed by HMMH, nor does it follow the Subcommittee's adopted interpretation of the SEC noise rule. Tocci misapplied the ANSI standard and failed to properly isolate turbine-only noise under test.

The only legitimate conclusion that can be drawn from Cavanaugh Tocci is that Cavanaugh Tocci measured wind in the trees. His report openly admits he discarded most of the turbine noise data as contaminated (See reference to 'void' in Appendix A Tables of the report). Beyond that, the methodology was not grounded in the ANSI Standard or the NHSEC rules, and Tocci's conclusion that "the AWE wind turbine sound *likely conforms*" to the SEC limits is an opinion that was not supported by any data.

If the Subcommittee believed that Cavanaugh Tocci validated HMMH's results, it raises concerns over whether the Subcommittee read the Cavanaugh Tocci report and whether the Subcommittee understood what the report says.

To conclude, I want to reference a comment by member Duprey at the June 7th meeting where she stated “with respect to future complaints, aren't we just going to go through the same process again? I don't really see what the purpose of it is. We're just going to bring HMMH back in. They're going to do the same thing they did this time. The findings are going to be the same. So, I don't see how we're really addressing complaints.”

Unfortunately, we are in this situation because the Subcommittee ignored the SEC rules relative to noise complaint validation and testing. If the SEC takes action to enforce its own rules and allows for greater transparency in the process, the outcomes would be more legitimate, rather than contrived.

Neighbors to the Antrim wind facility have been suffering excess noise conditions since December 2019. Their complaints have been discounted and dismissed by the Subcommittee and the SEC rules have been unlawfully ignored.

I ask that the SEC not accept the Subcommittee’s recommendation and to take the necessary action to properly investigate the noise issues that have been open for 4 years.

Thank you.

--Lisa Linowes
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NH Site 301.14(f)(2)(a) With respect to sound standards, the A-weighted equivalent sound levels produced by the applicant’s energy facility during operations shall not exceed the greater of 45 dBA or 5 dBA above background levels, measured at the L-90 sound level, between the hours of 8:00 a.m. and 8:00 p.m. each day, and the greater of 40 dBA or 5 dBA above background levels, measured at the L-90 sound level, at all other times during each day, as measured using microphone placement at least 7.5 meters from any surface where reflections may influence measured sound pressure levels, on property that is used in whole or in part for permanent or temporary residential purposes, at a location between the nearest building on the property used for such purposes and the closest wind turbine; and

NH Site 301.18(e)(1) Adherence to the standard of ANSI/ASA S12.9-2013 Part 3, available as noted in Appendix B, that requires short-term attended measurements to ensure transient noises are removed from the data, and measurements shall include at least one nighttime hour where turbines are operating at full sound power with winds less than 3 meters per second at the microphone;

NH Site 301.18(i) Validation of noise complaints submitted to the committee shall require field sound surveys, except as determined by the administrator to be unwarranted, which field studies shall be conducted under the same meteorological conditions as occurred at the time of the alleged exceedance that is the subject of the complaint.