ALL THAT GLITTERS...

For you may palm upon us new for old: All, as they say, that glitters, is not gold.  John Dryden (1687)

Wind farms are growing faster than the public’s awareness of their hazards or government action to manage this growth. Companies are prospecting furiously in wind regions, contracting for land easements lasting as long as ninety five years giving them the right to build thousands of new wind turbines, electric sub-stations and miles of distribution lines and roads.

Some wind turbines reach over 400’ into the air. A company could place as many as ten or twelve turbines per square mile. We cannot yet predict total future wind turbine density, but we do know that “too many” will be begin with what we already have. They could appear on every horizon in some regions. Is two hundred too many, four hundred not enough? No one can say; in part because we haven’t much talked about it.

And by the time we do, it will be too late; landowners will have already granted corporations permission to erect thousands of turbines. And why shouldn’t they. It is their land. They are good people, our neighbors and families, seizing an economic opportunity. Some even live on the land where the turbines will be whirling. Many do not. But those rural residents who now live inside existing wind farms sometimes complain about noise and flicker and studies have begun to determine whether the low-frequency acoustic energy they emit causes health problems.

Wind companies buy exclusive rights to erect turbines on land using easement agreements. Landowners are paid a small sum of money during a “development phase” while the company acquires other land and maps the local wind resource and topography. A landowner cannot know in advance whether or where the company will put turbines on their land. Some companies allow the landowner to “walk away” if they have a legitimate objection to the final location. Most do not.

Landowners with turbines usually receive annual payment per turbine. Some companies pay far more than others. Some even partner with landowners, paying a flat annual amount plus a royalty based upon a percentage of energy sales per turbine. But no market or exchange exists to tell landowners the going price for what they are selling.

Long term wind easement contracts are inherently biased against landowners due to inflation. Without a robust CPI driven inflation adjustment, the economic value of the landowner’s contract will diminish before the turbines are even built.

Wind easements create substantial issues for the public and future generations. Operators generally may assign these contracts to third parties without the landowners’ consent. So, initial faith in the original company could be cold comfort to ones survivors if the original terms were not thoughtfully created at the beginning. Much care must be taken when bright new shiny opportunities such as these come along. All that glitters…