

The Honorable Chris Saxman
General Assembly Building, Room 527
P.O. Box 406
Richmond, Virginia 23218

January 29, 2006

Dear Delegate Saxman,

Your Virginia Energy plan (HB 1292) appears to:

- Give exclusive jurisdiction over offshore wind energy resources to the state, not the local areas most impacted by them.
- Develop a scoring system for optimal locations of wind, gas and nuclear facilities administered from the state level
- Establish a "one-stop" permitting process that circumvents local comprehensive plans, zoning, etc.

In a recent fiasco the Highland County Board of Supervisors issued a permit for a wind energy project supported by only 20 percent of 97 speakers at the public hearing. Prior to the hearing more than 1,000 residents and landowners of this county with a population of only 2,500, signed a petition opposed.

If this total disregard of local input can occur at that level, where are the safeguards to prevent it on the state level? When elected officials ignore overwhelming majority opinion, residents can remove them from office and take the matter to court. If such things occur through "one-stop" permitting, where do the people most effected by the decision- those nearest the site- find recourse?

Your basic vision for a Virginia Energy Plan may have merit, but without built-in checks and balances, it is a threat to property rights and local control. Please send this proposal back to the drawing board for future study and do not move forward with it at this time.

When Highland first encountered the wind energy issue no one knew the sentiments of the local population. Numerous people, including myself, approached supervisors requesting a referendum on wind turbines in the county. We learned the Virginia Code prevents this. While the code requires referendums for local governments to issue bonds or change laws, it severely restricts referendums initiated by elected boards or voter petitions to a few things such as airports. Industrial wind turbines were not an issue until recently and are not on the short list of things exempted from referendum restrictions.

Please consider drafting legislation to include industrial wind "farms" as something boards or voter petitions may put to referendum. They can impact localities as severely as airports and nuclear power plants.

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