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SKAMANIA COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
LAND USE APPEAL HEARING

TRANSCRIPT OF PROCEEDINGS
LeAnna Toweill, Hearing Examiner
January 21, 2009
Stevenson, Washington

[Transcriber's note: Due to the method of recording,
this transcript contains indiscernible passages.]

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10 Friends of Columbia Gorge,

11 Gifford Pinchot Task Force,

12 and Columbia River Keeper

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14 Peter S. Banks

15 Skamania County Courthouse

16 Appearing on behalf of Skamania County

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1 HEARING EXAMINER: Yeah. Yeah. No. I don't
2 want an open-ended question.

3 MR. ARAMBURU: Okay.

4 HEARING EXAMINER: If you're finished with your
5 questions, Mr. Aramburu, I'll have -- allow
6 Mr. Banks to ask her some questions.

7 MR. ARAMBURU: Okay. So Dr. Pierpont, the next
8 person to ask you questions is the County attorney,
9 Mr. Banks.

10 THE WITNESS: Thank you.

11 MR. BANKS: Your Honor, do you want me to go
12 first, or do you want Mr. Poulin to go?

13 HEARING EXAMINER: My understanding that
14 Dr. Pierpont was not going to be one of your
15 witnesses.

16 MR. POULIN: I do not have questions.

17 HEARING EXAMINER: Okay. So go ahead,
18 Mr. Banks.

19 MR. BANKS: Thank you.

20 CROSS-EXAMINATION

21 BY MR. BANKS:

22 Q Can you hear me all right, Doctor?

23 MR. BANKS: I think for some reason, this is
24 unidirectional.

25 Q BY MR. BANKS: Hello?

1 A Yes.

2 Q Can you hear me all right, Doctor?

3 A Yes.

4 Q Let me ask a questions. Is there some division
5 with the American Medical Association that is
6 studying anything having to do with wind turbine
7 syndrome?

8 A In the American Medical Association?

9 Q Yeah.

10 A No. They usually study things that have to do
11 with delivering health care.

12 Q And you don't feel that wind turbine syndrome
13 would be something that the Medical Association
14 would be interested in delivering medical
15 services for?

16 A There are divisions within the specialties that
17 are very interested. A particular specialty
18 that's interested is called neurotology, and
19 that's a specialty within otolaryngology, which
20 is ears, nose, and throat.

21 So otology means ear, and the people who do
22 neurotology do the stuff that has to do with the
23 inner ear, like the cochlea, that sends the neuro
24 signals for sound, and the vestibular system,
25 that sends the neuro signals as part of the

1 balance system. And then neurotologists are also
2 very interested in the way that the brain puts
3 together the signals for the balance system.

4 Q And are you --

5 A Neurotologists see people who are dizzy or who
6 have vertigo. And this is a range of problems
7 that doctors in general, internists,
8 pediatricians, family practitioners don't have a
9 great deal of knowledge of. And when I sent out
10 my manuscript, these were to be read and
11 refereed. These were the specialist who were
12 highly interested in this area. They're
13 interested it for different points of view.

14 HEARING EXAMINER: Ms. Pierpont, I -- Mr. Banks
15 is going to move on to the next question.

16 Go ahead.

17 MR. BANKS: Thank you.

18 Q BY MR. BANKS: You indicated that you studied 10
19 families; is that correct?

20 A Yes.

21 Q And a total of 38 people?

22 A Yes.

23 Q Ages 10 to 85, I believe?

24 A Zero to 85.

25 Q Zero?

1 A Zero to 75.

2 Q All right. You studied someone in utero?

3 A No. Zero means an infant, prior to the age of
4 one. There actually was one in utero, but there
5 were two infants in the study, so that's what
6 zero is.

7 Q That's fine.

8 HEARING EXAMINER: Thank you, Ms. Pierpont.

9 MR. BANKS: Now, how many people lived in the
10 town in which you conducted this study?

11 A None.

12 Q I'm sorry?

13 A I'm sorry. I thought you were asking in my town.

14 Q No. I'm -- you studied 10 families from a town;
15 is that correct?

16 A No. They were from all over the world.

17 Actually, not all over the world. There were two
18 families from Ireland, one from the United
19 Kingdom, one from Italy, one from the United
20 States, and five from Canada.

21 Q And as part of your study, did you examine the
22 topographical maps for each one of the locations?

23 A No, but I got descriptions from the subjects of
24 what the topography was like.

25 Q All right. So you did not study any

1 topographical maps with regards to any location,
2 other than Skamania County; is that correct?

3 A (No audible response.)

4 Q Did you hear the question, ma'am?

5 A Yes, I did. I would say that I've looked at a
6 map of Skamania County. I didn't study the map
7 for any place.

8 Q Oh, I'm sorry. I was under the impression that
9 you were provided topographical maps and that you
10 reviewed them. Is that an inaccurate statement?

11 A Yes.

12 Q In the families that you studied from Ireland, in
13 the town in which they lived, how many people did
14 you not interview?

15 A I didn't do an epidemiologic study. That's
16 beyond my capacity as an individual practitioner.
17 What I did is a kind of medical study called a
18 case series, and I developed comparisons in --
19 because I didn't have a control group, I
20 developed comparisons in two other ways.

21 One is that each person in the study was
22 their own control, in that they lived near
23 turbines, then they lived -- I'm sorry. They
24 lived without them, then they lived near them,
25 then they lived without them again. So it was a

1 before, during, after comparison.

2 HEARING EXAMINER: Okay. Thank you,
3 Dr. Pierpont.

4 Q BY MR. BANKS: Then you didn't talk with anyone
5 who had lived next to a wind turbine project to
6 see if they were affected or not affected? The
7 only people you talked to are people who
8 admittedly were affected by the sound; is that
9 correct?

10 A Again, that's right. I did not do an
11 epidemiologic study, which means a sample of an
12 entire population or a regular part of that
13 population within a certain distance, for
14 example.

15 HEARING EXAMINER: Thank you, Dr. Pierpont.

16 Q BY MR. BANKS: Now, when you say that your report
17 was published on the Internet, who published it?

18 A The short reports I wrote before this study of
19 the 10 families are posted on the Internet.

20 Q So you posted them?

21 A We have, and other sites that are interested in
22 the problems with wind turbines.

23 Q Did they post it or did you post it, Doctor?
24 It's a very simple question.

25 A Both. You can post something in multiple

1 locations. And we also published some things in
2 our local newspaper.

3 Q With any of the other 10 families, did you do
4 studies with regards to the wind pattern where
5 those people were located?

6 A Again, my study was entirely by interview of the
7 families, so we talked about patterns of -- like
8 which direction the wind might be blowing from
9 when they got symptoms, because their symptoms
10 came and went. And the typical pattern is that
11 when the wind is blowing from the turbines
12 towards them, or from behind them towards the
13 turbines, so the turbines are turned directly
14 towards them or away from them, and if the wind
15 is particularly strong, then that tends to be
16 when the noise is loudest and when they get
17 symptoms.

18 HEARING EXAMINER: Okay. Dr. Pierpont, I think
19 the question was more formal wind studies as far as
20 wind direction and what such. And I take it your
21 answer is no?

22 THE WITNESS: Yes, my answer is no.

23 HEARING EXAMINER: Okay. Thank you.

24 Go ahead, Mr. Banks.

25 Q BY MR. BANKS: And can you tell me how many

1 studies you have reviewed with regards to the
2 effects of people living within the flight path
3 of airports in the United States?

4 A For the United States and Europe, I've probably
5 reviewed 20 papers, published medical papers.

6 Q And how many other published papers are there
7 with regards to your wind turbine syndrome, other
8 than yours?

9 A There are other published papers on noise and
10 annoyance -- or rather --

11 Q I'm sorry, ma'am. Let me ask the question
12 very -- it's a very simple question. Are there
13 any other papers published dealing with what you
14 have called the wind turbine syndrome?

15 A Yes.

16 MR. ARAMBURU: Examiner, she's trying to answer
17 these questions.

18 HEARING EXAMINER: No. I -- but he was making
19 a distinction as far as the syndrome name. Thank
20 you.

21 Q BY MR. BANKS: How many other papers are there
22 that are dealing with the wind turbine syndrome,
23 as you have named it?

24 A The paper by Dr. Amanda Harry deals with the same
25 syndrome, though she doesn't call it that.

1 Q What does she call it?

2 A Just a moment. Well, her paper is called Wind
3 Turbines, Noise and Health. The first section is
4 the effect of wind turbines on health.

5 Q But again, it doesn't deal with the syndrome; is
6 that correct?

7 A It deals with the same set of symptoms and signs,
8 which is the same syndrome.

9 Q I believe you testified that your study started
10 in 2004; is that correct?

11 A 2006.

12 Q 2006?

13 A For the actual study, interviewing families in
14 depth.

15 Q And have you been following up on a routine basis
16 with the 10 families since you wrote the paper?

17 A I followed up with them while I was doing the
18 paper, until I got to the end of the time which
19 was the data collection period.

20 Q In --

21 A You're asking me many questions of did I design
22 the paper this way or that way or this way, and I
23 designed it in a very particular way, and that's
24 how papers are done.

25 HEARING EXAMINER: Okay. Dr. Pierpont, thank

1 you.

2 Q BY MR. BANKS: Did -- I'm sorry. This may have
3 been asked and answered, and I apologize if it
4 was. Did you interview anyone who lived near a
5 wind turbine who said they had no symptoms from
6 anything?

7 A Yes.

8 Q How many?

9 A How many?

10 Q How many people did you interview that had no
11 symptoms?

12 A There were -- within the 10 families, there was
13 one 19-year-old who had very few symptoms. In
14 fact, there were several teenagers who had few
15 symptoms. I talked to a lot of people, and I
16 don't know how many I've talked to who don't have
17 symptoms.

18 The study is not constructed in that.
19 Epidemiologic studies, which is what you're
20 talking about, are needed. This was a first
21 step --

22 Q You --

23 A -- of finding --

24 HEARING EXAMINER: Okay. Dr. Pierpont, thank
25 you.

1 THE WITNESS: You're welcome.

2 Q BY MR. BANKS: Doctor, you indicated that you had
3 reviewed the proposed zoning text for Skamania
4 County zoning ordinance; is that correct?

5 A Yes.

6 Q And I believe you made a statement that wind
7 turbines were allowed over a broad area of the
8 county. What did you mean by that?

9 A I believe that we're not talking about here a
10 specific project, but we're talking about --
11 you're talking about permitting turbines in
12 various parts of the county. So this is general
13 ordinance.

14 Q Let me ask you a very simple question, Doctor.
15 If a wind turbine is never constructed in
16 Skamania County, how is someone going to suffer
17 from wind turbine syndrome?

18 A Well, they're not.

19 Q And unless someone applies for a permit to build
20 it, can it affect anyone?

21 A If you're putting out a guideline of half a mile
22 in an ordinance, that will be a guideline that
23 your developers will be expected to be followed,
24 and that's a precedent. But you're asking me
25 legal questions, rather medical or research

1 related questions. I'm done.

2 HEARING EXAMINER: Thank you.

3 Q BY MR. BANKS: You made a statement in response
4 to one of the questions -- one of the last
5 questions from counsel for SOSA, talking about
6 people who take your study seriously. Explain
7 what you meant by that.

8 A People who are involved in the development of
9 wind turbines wish to ignore my study, so they
10 don't take it seriously.

11 Q You indicated that you testified to a New York
12 legislative group?

13 A Yes.

14 Q What was that testimony about?

15 A It was describing wind turbine syndrome.

16 Q And why were you testifying before the
17 legislative body?

18 A They were having a hearing on the implementation
19 of the RPF, which is mandated amount of energy
20 that needs to come from renewable sources by a
21 certain time. And this was on implementation.

22 Q Are you aware of whether or not they implemented
23 anything?

24 A No, they did not with regard to my
25 recommendation.

1 Q And your recommendation was?

2 A That there should be further medical review and
3 research, and that the State should have some
4 kind of guidelines as to siting and setback,
5 which in New York state is being left up to the
6 individual towns.

7 MR. BANKS: Thank you. That's all I have.

8 HEARING EXAMINER: Thank you, Dr. Pierpont.

9 MR. ARAMBURU: I don't think I have any more
10 questions for you Dr. Pierpont. I take it the
11 examiner does not have questions.

12 HEARING EXAMINER: I don't have any questions.
13 Thank you.

14 MR. ARAMBURU: Okay. We're going to sign off
15 now, Doctor. Thank you very much for your
16 testimony.

17 THE WITNESS: You're welcome. Thank you.
18 Bye-bye.

19 HEARING EXAMINER: Excuse me for just a minute.
20 I'm going to reorganize my papers.

21 MR. ARAMBURU: I need to call -- can we just
22 take a couple minute break here? Would that be a
23 good idea?

24 HEARING EXAMINER: Yes. Let's take about a
25 five-minute break. Thank you.

C E R T I F I C A T E

I, Linda Chastain, do hereby certify that I am a court transcriber in and for the State of Oregon.

I further certify that the foregoing proceedings were digitally recorded and supplied to me, and thereafter reduced to typewriting by me, and that the foregoing is an accurate and complete transcription, to the best of my ability, as corrected, of said digitally recorded proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand in the City of Salem, County of Marion, State of Oregon, this 7th day of April, 2009.


Linda Chastain

Court Transcriber