



60 county residents sue wind farms claiming loss of sleep from noise

BY TONY VINDELL - Reporter

Up to 60 residents and landowners living east of Expressway 77 are suing the two Willacy County windfarms for negligence.

They claim the wind turbines from Duke Energy and E-On Climate & Reweables are disturbing their way of life, that they have sleeping problems, are getting poor television reception and aren't able to enjoy the great outdoors.

The lawsuit was filed Nov. 27 in the Willacy County District Court.

Among the plaintiffs are Justice of the Peace Juan Silva Jr., County Commissioner Noe Loya, Jesus, Zulema and Eleazar Rincon, Charles and Miranda Theiss, Raquel D. Thompson, Ludy and Marco Tijerina, Benino, Bobby Esteban and Sharon Capetillo, Miguel De Luna, Maria Serrato, Socorro Loya and many others.

According to the lawsuit, Willacy County has hundreds of turbines each standing on 100-meter towers, have three blades each weighing 7 tons and are 467 feet tall.

The lawsuit alleges that the plaintiffs are entitled to damages related to the diminishing of their property values, compensatory damages for the destruction of their homes and lifestyle, loss of use and enjoyment of their properties, damages in the form of relocations and lost time spent relocating their homes, mental anguish, physical and pain suffering, loss of business profits and that some of the plaintiffs may have a need for future medical monitoring and medical care.

Each plaintiff is pretty claiming the same thing, according to the lawsuit.

For example, plaintiffs Juan Silva Jr., who is a justice of the peace with Willacy County Precinct 2, Daniel Rodriguez and Lydia Morua and others, claim they have suffered various damages and injuries as it relates to the placement of the turbines being so close to their homes, the lawsuit states.

Silva said his home is about 500 yards from one of the turbines.

"We are in this because of the way they went about it," he said. "They did not treat us as they treated the others."

Michael Salinas, an attorney from Mercedes who is representing the Willacy County group, said the windmills have become a nuisance for his clients.

"When these windmills were put up they talked about all the benefits the people and the county were going to get such as more taxes and job growth, but they didn't talk about the side effects of having these wind mills so close to homes," he said. "Some of these people have been having problems with sleeping, with anxiety and with those kinds of things that result from the noise and the movement the windmills have all day and night.

In other words, he continued, the windmills have become a nuisance for some people as far as their daily lives are concerned.

Officials with both Duke Energy and E-On did not return telephone calls made to their offices.

Some of the plaintiffs are among a group of property owners who in August 2011 met in a local restaurant alleging the windfarms discriminated them because nearly 100 percent of the turbines were installed on property owned by Anglo farmers.

In one case, several turbines were installed on land owned by Anglos bypassing a property owned by a Hispanic.

At a latter meeting, EON executives met with the complaining landowners and explained to them the turbines site selection.

"It depends on wind," Patrick Woodson, chief development officer with EON, said at the time, referring to the tentative sites chosen for the project before they were installed. "We knew some people were going to be disappointed, but who owns what tract of land wasn't taken into consideration."

But Loya, who is among the plaintiffs even though he did not know about it, questioned that.

"I guess the wind blows less on land owned by Hispanics?" he said. "I don't agree with what they are saying."