

# IT WIND TURBINES DRAMA

How the rollout of industrial wind turbines  
threatens to become a new benefits scandal

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## Action perspective

# 9 Toolkit for Concerned Citizens

*“Realize what is coming. I hear regret far too often after the turbines have been installed.  
“If I had known this, I would have taken action much earlier.”*

Peter de Lange

Despite the fact that the RES targets have already been met, the roll-out of onshore wind continues at a rapid pace. In our densely populated country, most sparsely populated areas have already been equipped with wind turbines. The places that remain are therefore by definition closer to residential areas. Given the experiences of residents of existing wind farms, and the increasing scientific evidence for the health risks of industrial wind turbines, citizens are increasingly concerned when they are confronted with plans to build a wind farm.

What can you do about this? Below are suggestions for actions that proactive citizens can take, based on the experiences of existing resident groups.

## Phases of administrative decision-making around wind farm

The best action to take depends on the phase of the decision-making process a project is in. There are roughly three phases, lawyer Peter de Lange indicates in a presentation for the interest group of residents of wind turbines NLVOW: first the planning, then the administrative decision-making and finally legal action (240).

### Planning

In all RES regions, search areas have been designated. These are places where potential wind farms can be placed. These search areas are then ratified by decisions of provinces and municipalities. Experience shows that maps of search areas are already circulating and that land is being purchased before they have been made public. By determining the search areas, these areas are open to a permit application by operators.

A plan-EIA must be carried out for these plans (241).

Before an administrative decision-making process takes place, there is usually already consultation between administrators and potential operators and developers. In this phase, initiators approach landowners or purchase land (242). In principle, local residents should already be involved in this phase of the process. Experience shows that this usually does not happen, or only minimally (97; 100; 3). Before a final permit application or notification of plans for the construction of a wind farm is made, initiators can submit a concept request. Before the introduction of the Environmental Act on 1 January 2024, this was called a principle request. The initiators then have the competent authority check their application in advance (243). Before they submit a con-

When submitting a concept request, there is contact with the municipality or province. They are supported by consultancy firms such as Arcadis, Pondera or Bosch & Van Rijn. When there is sufficient insight into the feasibility of the initiative, the concept request is submitted. Van Mook explains: "This request does not have to be published. This means that the permit application can be considered for a very long time with consultation between both parties (civil servants and permit applicant) without the citizens knowing anything. When the permit application is then submitted, the requested environmental permit is in fact technically ready and in order. That is rather sneaky, because due to all the efforts by the competent authority in consultation with the applicant, the approval gives the impression that everything is now OK and that the permit can also be granted". This concept request has no legal status yet, no final decision period and is not part of the legal application procedure (243).

If there is a positive response to the concept request, the initiator and the municipality or province enter into a prior agreement. This establishes an obligation of effort by the municipality or province towards the project (244). Van Mook: "Please note that this is an obligation of effort and not a performance obligation. The VNG has also clearly described this in the model agreement that it has made available, that one is dealing with a political process, as a result of which the agreement does not provide any guarantees for the issuing of a permit. If an alderman does so, he deviates from the model agreement and goes beyond his remit.

In order to deviate, he needs a mandate from the Council, because if he gives a guarantee of obtaining a permit, a claim for damages could follow if the performance is not delivered. The prior agreement is mainly intended to give the operator a certain certainty that the permit procedure has been initiated and that the competent authority wants to make an effort, so that it can apply for loans from the bank and that kind of thing".

### Administrative decision-making

The authority that is competent to decide on the wind farm plans depends on the capacity that is to be installed. Municipalities are responsible for individual wind turbines, which are one or two turbines, and wind farms up to 5 megawatts. A wind farm is an installation of three or more turbines (245). Provinces are responsible for wind farms between 5 and 100 megawatts. The Provincial Executive can choose to designate a municipality as the competent authority (246). Wind farms of 100 megawatts or more are regulated by the central government.

Competent authority:	Wind farm capacity
Local authority	Up to 5 megawatts (MW)
Province	5 to 100 MW
Rich	From 100 MW

Source: (246)

The environmental visions at national, provincial and municipal level describe the long-term ambitions for an area. These visions are then further specified in municipal and provincial environmental plans. When decisions are taken on a wind farm project, this must be in line with the existing policy lines set out in the environmental visions and plans. This is an important part of the assessment by the Council of State, because it assesses whether the administrative decision-making process has been correct.

In a case of potential residents against the construction of a wind farm near Eefde (Zutphen), it turned out that the regulations in the zoning plan regarding national integration were not specific enough. This finding was decisive for the annulment of the plans by the administrative court (153). In a similar way, plans for the installation of three wind turbines at the Zeumeren recreation area were delayed because the installation of a wind farm was in conflict with the Zeumeren area vision.

When an environmental vision or plan is adjusted, a concept version is first offered for public consultation. When this policy changes, an environmental impact assessment must be carried out. The MER is also open to public consultation, both for the 'Note on Scope and Level of Detail' (NRD) and for the outcome of the study, the plan-MER (241).

Everyone – individual citizens, foundations, companies, governments, you name it – is free to submit their views on these documents. It can be useful to submit a view, especially when determining what will be investigated and its scope. Namely, anything that is not mentioned in the NRD will not be investigated in the environmental impact assessment. With regard to submitting a view on the NRD, it is better not to waste all your ammunition at this stage by providing too much detailed information. This can be used to parry the requests. Van Mook explains this: “Citizens spout all their knowledge about what is lacking in the views. In addition to the fact that the matters submitted are usually trivialized by the policy officers in order to allow the project to proceed, you are releasing all your ammunition.

This allows the permits to be adjusted and you no longer have any arguments to refute matters at the Council of State. Opinions must therefore touch on the subjects, but not go into too much detail about the content. The point is to safeguard your rights as an interested party. Nothing more”. It is therefore sufficient for the opinion to indicate which subjects should be included, for example: 'health risks', 'knowledge about the effects on children in their development', 'water supply risks', 'soil pollution risks', or 'ice shedding distance'.

Administrative body/ intergovernmental consultation/ Initiator	Relevant policy documents	EIA obligation?
Local authority	Environmental vision Environmental plan (formerly zoning plan)	Plan-MER Plan-MER
Province	Environmental vision Project decision (formerly zoning plan)	Plan-MER Plan-MER
Rich	Environmental vision Project decision (formerly zoning plan)	Plan-MER Plan-MER
RES Region	RES 1.0 RES progress documents RES 2.0	-  Plan-MER
Initiator	Permit application.	Project-MER

Source: (247)

## Permit application

In addition to an environmental permit from the municipality or province, multiple permits are often required for the installation of a wind turbine park. Such as a Flora and Fauna exemption, permit or exemption from Rijkswaterstaat or the water board. Only when these are complete or commitments have been made, can the procedure for granting the environmental permit start. The environmental permit procedure can proceed in two ways: by first adjusting the spatial plans and then submitting a permit application, or by simultaneous spatial planning and permit granting via a coordination arrangement.

Under the Environmental Act, the environmental plans are amended. Previously, this was called a zoning plan at municipal level and an integration plan at provincial or national level. If the Environmental Plan is amended first and then the permit application, interested parties can object to both the amendment of the Environmental Plan and later to the Environmental Permit. An objections committee then assesses whether the decision of the competent authority was taken lawfully and whether all interests have been weighed. They then advise the competent authority on the decision taken. The latter can follow the advice given or not. If interested parties still object to the decision taken then, the only option is to go to the administrative court. When it concerns spatial planning and the environment, it is not the court, but the Council of State that hears the appeal (222).

Due to various legal regulations, such as the Environmental Act and the coordination regulation, an objection is usually lodged directly with the Council of State, and not with a lower court.

“Nine times out of ten, you only have one legal avenue and that is the Council of State,” says lawyer Peter de Lange. The Democratic Energy Initiative writes about this shortened legal process in a response to the 'Proposal for amendment of the Climate Act': “Under the camouflage of simplification and improvement, this complex legislative operation will ensure that legal protection with two judges (court and Council of State) can be replaced by one body, the Council of State. There, citizens must present their arguments in one go within six weeks. Where the government has had years, the citizen must try to understand the matter in a short time and respond to it. Incidentally, this proposal for law is no different.”

The Judicial Council is also critical of shortening legal procedures: in an advisory report on shortening appeal procedures due to weighty social interests, they write: “the Council [emphasizes] here too that it sees the social importance of rapid decision-making for this type of electricity projects, but in this context it again points out the importance of the principle of a two-tier jurisdiction. After all, in the cases concerned here too, proper legal protection is required and it is difficult to explain why a citizen is allowed to litigate in two tiers for less weighty social interests” (248).

**TIP:** The preparations for the Environmental Permit are often presented to the Council in a council proposal. This often already includes the policy documents on which the decision is based. Such as the Environmental Visions of the province and municipality. That saves a lot of searching.

If a simultaneous procedure is chosen, this will accelerate the permit process. This procedure does have an important consequence: an appeal can only be filed with the Council of State, and an appeal against decisions taken is not possible (246; 245). Once a draft decision is available, local residents can submit a point of view.

In the event of a zoning plan amendment, the Council is the competent authority and can include rules regarding the noise of wind turbines in the Environmental Plan. If an amendment to the zoning plan is not necessary, the Council must issue a declaration of no objections for issuing the Environmental Permit. In both cases, the Board of Mayor and Aldermen is the competent authority for issuing the Environmental Permit, whether or not mandated by the province. If the Council does not issue a declaration, the permit will not be granted and the operator can appeal or he can turn to the province and then submit the permit application there. The municipality is then *overruled* by the province (222).



The permit procedure
<p><b>The search areas</b> •</p> <p>Designation of search areas in the RES •</p> <p>Determination of search areas by the competent authority</p>
<p><b>The preliminary work</b> • Initiators started lobbying to develop search areas</p> <p>• Initiators submit a <b>concept request</b>, this is not always made public. • In the context of participation, there are information evenings for residents and interested parties. Residents are usually not aware of this.</p> <p>• The competent authority and the initiators conclude a prior agreement</p>
<p><b>Permit procedure 1</b></p> <p>• A preliminary draft environmental plan is published (draft decision), on which comments can be submitted. • The adjustments are assessed by other competent authorities, such as the Environmental Service, Rijkswaterstaat, etc. They assess, among other things: Compliance with standards relating to environmental effects and safety, nature conservation, water quality objectives, etc.</p> <p>• An appeal can be lodged against changes to the Environmental Plan. • A permit application will be submitted. This will also be assessed by the competent authorities. Views can be submitted on the applications to be served.</p> <p>• If the permit is granted, an appeal can be lodged with the Council of State.</p>
<p><b>Permit procedure 2 Coordination regulation</b></p> <p>• The adjustments to the environmental plan run simultaneously with the permit procedure. • When the concept for the environmental plan amendment and permit application is made known, comments can be submitted. • If the permit is granted, an appeal can be lodged with the Council of State.</p>

## Litigation

In the final phase, there is a final decision. If you then go to court, you are at the Council of State. You must appeal to the Council of State within six weeks of the decision. Van Mook explains: “The Council of State only assesses the decision against the General Administrative Law Act. Since the Environmental Act came into effect, refusal has been possible on arguments that relate to the physical living environment. You pay court fees for the proceedings. This is a fixed amount and can be found on the Council of State website. The procedure at the administrative court differs from proceedings at the civil court. If you lose at the civil court, you are ordered to pay the costs of the other party. This is not the case in administrative law. If you lose, you lose your court fees, but if you win the case, the government is ordered to pay certain costs” (222).

According to De Lange, the waiting times for these cases have been very long since the Activities Decree was suspended, and they even take years. As long as the wind turbines have not yet been built, this has its advantages, because, says De Lange, “As long as a lawsuit is pending, developers generally do not start building, because the risks are too great.”

For residents of existing parks it is more difficult. De Lange: “If the turbines are already there and you have requested withdrawal, that is particularly difficult. In the meantime you experience nuisance. Interim measures have always been rejected so far, so you have no options for defense (24). For groups of residents, delaying is therefore a deliberate strategy. A group of residents that is persistently active has led to an initiator dropping out in several cases. Within the time gained, legal or political events can also lead to plans being delayed even further or canceled. Think of the Delfzijl ruling, or the coalition agreement of the Schoof cabinet” (31; 249).

De Lange has now filed approximately fifteen lawsuits against wind turbine projects. Only two of those cases were heard at a hearing on November 24, 2023. The others are still pending. He states: “Normally, according to the law, these types of procedures should in principle be completed within six months of the filing of an appeal. So this is not normal. It is highly exceptional” (24).

## Action steps to prevent construction of wind farm

### Inform yourself and anticipate plans in your living environment

As a rule, the earlier you are involved as a citizen in the decision-making process, the greater the chance to influence it. It does not always have to lead to legal action. By being active very early in the process, some wind farm plans are abandoned long before there are any legal proceedings. So inform yourself about the spatial plans in your living environment, and the developments that are taking place in your RES region: decisions about search areas, changes in environmental visions or plans, not only within the municipality, but also at provincial level.

Changes in plans regarding your living environment are announced via official announcements ([www.officielebekendmakingen.nl](http://www.officielebekendmakingen.nl)). You can set up a subscription for this, which will automatically inform you about changes in plans. This is not only relevant for the arrival of wind turbines, but also for other plans, such as removing parking spaces, zero-emission zones, making neighborhoods gas-free, changing the destination of agricultural land to nature, and more. Environmental law was already complex, but after the introduction of the Environmental Act on January 1, 2024, it has become even more confusing. An environmental law attorney can assist in setting up the correct search functions (250).

More information about agreements in the RES regions can be found at:

- National Regional Energy Strategy Program: [www.regionale-energiestrategie.nl](http://www.regionale-energiestrategie.nl)
- The States and Council meetings are public. Search the history of the meetings rings, including the committees, which information has been discussed. The clerk's office can provide more information if necessary.
- RES in Beeld: [www.resinbeeld.nl](http://www.resinbeeld.nl)

"Inform yourself well, start building a file in time and involve other residents, administrators and stakeholders," Peter de Lange advises residents. "In the decision-making phase, you sometimes see that a draft decision is published just before the summer. You then have six weeks to respond to it. You were just about to go on a nice holiday and think: that will happen when I get back in a week or two or three. Then you request a document, which you receive in week four or five of the consultation period. It turns out to be 15 folders of information that you can't make head or tail of yourself. You actually don't have time to go to a lawyer and when you go to a lawyer around the corner, he says: 'this is so complex, I can't just assess it'. Then you are actually sidelined" (24).

### Walk-in evenings and sounding board groups

The municipality regularly organises walk-in evenings. There are tables with experts who provide information about municipal plans. Van Mook: "They have moved away from plenary information. The method currently used leads to divide and conquer. At a busy table, you don't stick around for your specific question, and as a result you miss information. Therefore, try to ask for a central introduction with a presentation about the wind farm where possible, and only then the round of experts. If there is a reserved response to this, you can offer as 'change' that there is no opportunity to ask questions in the plenary session".

In some cases, the municipality initiates a sounding board group in which the operator also participates. Van Mook: "Be aware that you are participating in the preparation of the permit application. Your participation can be used in the defense of the municipality's lawyer if it comes to an appeal (222).

## **Connect with other residents**

Most successful actions come from a small group of citizens who, supported by others, are very actively involved. Mark Reijnders has been involved in three wind farm projects. For one of the projects, the permit application had already been submitted when he learned of the plans. All three projects have now been – at least temporarily – abandoned. In one case by the court, in other cases because the political climate changed, or because the initiator himself dropped out due to too much opposition from local residents. Reijnders: “The approach has always been different. There were also different reasons why a project did not go ahead. What has mainly contributed to the success is that I am not doing it alone. We work intensively with several people. Sometimes there is a bit of luck involved, but in the end they are people who, based on knowledge and expertise, have conducted the discussion in good faith. It takes a lot of time. But it is also very instructive” (251).

Klaas Bron, a resident of a proposed wind farm near Zutphen that was rejected by the Council of State, attributes the success partly to the successful collaboration: “It starts with the fact that we have a broad multidisciplinary team of ten people and the Eefde Tegenwind foundation. With that, we cover the relevant knowledge domains, including, for example, that of a general practitioner” (153).

## **Inform your fellow residents – flyer distribution**

Often, local residents are not aware of plans for wind farms in their living environment. Jan van de Scheur, co-founder of the Stichting Tegenwind Echteld-Lienden, discovered, for example, through a tip from an acquaintance, that there were plans to place the world's largest wind turbine 600 metres from his house. It involves placing seven wind turbines, almost the size of the Eiffel Tower, between three villages. In the other villages, residents also appeared to know nothing (97).

In order to inform other residents, residents' groups are organizing information evenings. They are also holding flyer campaigns, with brief information about the plans and the risks, with a reference to a website for more information. Take a wide radius for this: residents within a radius of two and a half kilometers will certainly experience problems, with the size of the turbines that are now being built, that radius will become even larger.

The Voorthuizen Windmills NO Foundation tackled it energetically: “We made a flyer with all the then known disadvantages of wind turbines, organized an information evening and also did a door-to-door signature campaign based on the flyer. At the time, it was signed 4,400 times. In fact, by almost everyone, because there are approximately 4,400 households in Voorthuizen.”

## **Organize a petition**

A petition can be used to show that there is no support from citizens and companies for the construction of wind turbines. The residents' group Belangenvereniging Leefbaarheid Omwonenden Windparken Echt-Susteren (BLOW-ES), in which Reijnders was involved, went a step further. They had residents sign a letter of objection that was drawn up by a Belgian lawyer on behalf of a Belgian group that was against the arrival of the Maaseik wind farm. Reijnders says:

“We went door to door in the villages concerned, along all the areas that would suffer the most from the turbines, also in Belgium. That was during carnival, I walked ahead of the carnival procession with those forms. Everyone signed those papers. As a result, we had 1900 objections in two or three weeks. They were then submitted. The initiator, who saw this coming in, must have thought, this is simply far too dangerous, we are pulling the plug here. We are not going to continue this anymore.”



### **Inform your fellow residents – information evening**

In order to inform other residents, residents' groups organize information evenings. "We call that creating a stir," says Reijnders. He has organized an information evening several times from the residents' group. "We invited the three residential areas around the search areas to one of those evenings. During the evening, five to six experts talked about various subjects. So what could happen, the bisphenol A story, the health aspects, the possible effects on the nature reserves in our area. There was a general practitioner, a lawyer and psychologist, someone from the local bird working group, a teacher from a college. The halls were packed during all those evenings. We're talking about community centers with 200-300 people. The municipality started to scratch its head: a few people have been working there for a few weeks now and they manage to reach a few hundred people.

We can't do that. When the project developer then organised an information day to allay the concerns, it backfired. Many people went in with a bit of a blunt axe. Then it became clear: that is a nest with a lot of resistance."

### **Make the impact of IWTs visible**

The wind turbines that are now being planned are incredibly large. Most residents and also administrators have no idea how immense these turbines are. It is therefore valuable to provide images. The website Res in Beeld does this by photoshopping the wind farm plans into existing photos. See: <https://resinbeeld.nl/>



Our southern neighbours took a grander approach. Reijnders says: "The Belgians had come up with a really great campaign. They ordered a helicopter. On a Saturday, they flew at the tip height of the wind turbines. They had announced: go and look in your garden to see if you can see it, and look, where you see the helicopter now, there will be a wind turbine in five years, if the plans go ahead".

### **Make your citizen initiative discoverable**

Make yourself discoverable by setting up a website, possibly linked to social media accounts. Possibly give visitors the opportunity to sign up for a newsletter. In this way you can keep other residents informed about current developments. To illustrate, some examples of websites of interest groups of residents:

- Interest group for the quality of life of residents of wind farms in Echt-Susteren (BLOW-ES): <http://www.doordachterduurzaam.nl/>
- Deventerwint: <https://www.deventerwint.nl/>
- Windalarm Amsterdam: <https://windalarm.amsterdam/>
- Stop Windplan Isselt: <https://stop-windplan-isselt.nu/>

### Find the media

Get in touch with local or national press. This will make more people aware of the disadvantages of industrial wind turbines and what plans there are for their living environment.

In some cases, the newspaper articles lead to political awareness. For example, parliamentary questions were asked about the following articles:

- 'Arrival of tallest wind turbines ever on land scares local residents and doctors', in the Telegraph on February 1, 2024 (252)
- 'GP warns of negative health consequences of wind turbines', on NPO1 on April 10, 2024 (253)
- 'The harmful effects of eroding wind turbines on health and the economy', from the Turbine Group on July 8, 2021 (254).

### Set up a foundation

It is useful to set up a foundation. This carries more weight than when citizens individually approach the government or the Council of State. In addition: as a citizen, you are only an interested party if you live within a distance of ten times the tip height of the turbines (152). The objectives of a foundation can include broader interests. A foundation may also stand up for birds or nature. An individual must, so to speak, live almost in the nature reserve to be considered an interested party. Liability is also arranged through the foundation. Van Mook advises: "Due to the joint and several liability, civil-law notaries recommend setting up a foundation instead of an association. Setting up a foundation does involve costs. Inquire with various civil-law notaries, because prices can vary. Having a bank account for a foundation is not an easy matter due to the stricter rules of the banks. Therefore, start initiating this in good time" (222).

A broad definition of the foundation's objective in the articles of association provides scope to challenge the wind farm on several points. Article 1.3 of the Environmental Act provides starting points for the implementation of an interest group that is committed to the quality of life in the living environment: "This law, with a view to sustainable development, the habitability of the country and the protection and improvement of the living environment, is aimed at [...] achieving and maintaining a safe and healthy physical living environment and good environmental quality, also because of the intrinsic value of nature".

Bert Weteringe, author of the book *Windhandel*: "It is best to choose a constructive name, such as 'interest group for the preservation of the living environment', because then they see you as a discussion partner. An action group, or a name with 'against' in it, provokes more resistance".  
Reijnders, as co-founder of BLOW-ES / BLOW-HN: "There was a deliberate strategy behind choosing the name 'Interest group for the quality of life of residents of wind farms', and not for a term such as headwind. We do not take action. What we do is inform everyone, the residents, administrators, companies, about what can happen. After that, it is up to each individual what they do with it".

### Speak to the municipality and province

It is possible for citizens to speak at a committee and council meeting at the municipal council. Citizens also have the right to speak at the province. The rules for this differ. Speaking is public and is usually also broadcast digitally. By speaking, you can

to express concerns to members of the Council and States. It is also a good time to speak to people in person. The consultation can also be shared with the supporters on social media. Van Mook advises speaking at committee meetings of the municipality and province: "That is where the debate takes place. There is room for questions to be asked by members of the Council or States, and the faction members can then process the information before the decision-making Council or States meeting takes place". In addition, a faction meeting takes place once a month. The political parties then meet separately. You can ask the faction chairmen whether you can come along, and whether they want to make time to inform the members or to make your objection known. Do this with a maximum of two or three people per faction.

This is how you divide the interest group among the factions (222). You can also write to them; do this at the beginning of the month to the faction chairmen. The email addresses can be found on the website of the municipality.

## **Build a dossier – the most important topics**

There are many topics that are involved with wind turbines. De Lange advises to start building a file early, and to choose a focus: "Which elements are really important in your area? This could be: special birds, special plants, a quiet area or a water extraction area or a certain protected city or village view, monuments or other influences. Choose a number of themes that are specific to the area. In addition, there are always issues that are at stake, such as health and other environmental issues. Try to organize your file with five to eight themes. There may be 100 themes, but they do not all have the same weight, so pick the most important ones (24). Below is a non-exhaustive list of topics that may be important:

- Noise pollution
- Health
- Vulnerable groups, such as children or pregnant women
- Shadow casting • Light glare • Water extraction
- External safety • Flora and fauna, nature reserves, presence of protected animal species, birds, bats
- Landscape values • Type of wind turbines
- Business case
- Grid congestion

"It is then important that you have your file in order," says De Lange. "A lawyer can get started much faster on the basis of those points that you yourself have found important in your area" (24).

## **Build a dossier – the policy documents**

The construction of a wind farm involves a lot of bureaucracy. Are all the documents that have been submitted correct? The Environmental Plan, the studies to substantiate the permit, the EIA study? In practice, many mistakes appear to be made. For example, Stichting Tegenwind Echteld-Lienden discovered that provincial executives had decided not to carry out an EIA study. That is against the law. The information that had been provided came from the initiator Vattenfall. In these studies, many things appeared to be incorrect:

The ecological study largely ignored birds, despite the fact that there are three registered nests of little owls in the area. The study was demonstrably incomplete.

In another report, written by the consultancy firm Bosch & Van Rijn, the distance from turbines to homes was calculated based on the noise standards. The foundation checked the calculations with two engineers, after which they arrived at completely different distances. Van der

Scheur: "These differences are very large. For example, they gave a distance of 900 meters, and we come to 2670 meters. A former miller pointed out to us that below 60 meters height, you can include damping factors for buildings and vegetation, that is probably where the difference lies. But these do not apply at all at the height of these turbines with a tip height of 270 meters (97).

The story of the Stichting Tegenwind Echteld-Lienden is not unique. In a wind farm plan in Limburg, the municipality was a co-initiator. They believed that they could generate municipal income from it. BLOW-ES then had the figures reviewed by a registered accountant. He completely undermined the plan. When it became clear to the municipality that they could suffer financial damage, they were less interested. Van Mook, who regularly attends sessions of the Council of State: "At the Council of State, you as a citizen have to come up with research yourself to substantiate your claim. Previously, the starting point was that the government had to protect your health, but in this case they believe the reports of the operator, they try to stay away from an EIA and health study. To put the costs into perspective: a noise study to refute the claims of the operator, and to demonstrate low-frequency and infrasonic sound, quickly costs €130,000. How can citizens pay for and organize this? With this recent development and trend, you as a foundation and as a citizen will always lose at the Council of State. It is therefore of great importance to conduct research and to seek substantiation with peer-reviewed studies". Because many members of the Interest Group for the Liveability of Residents of the Wind Farm Holtum-Noord (BLOW-HN) were affiliated with Achmea, they received funding from the legal expenses insurance for counter-expertise at the Holtum-Noord wind farm. This noise research showed many errors in the MER that was drawn up by Royal Haskoning.

"This is not an isolated incident and does not appear to be an isolated incident. In fact, the competent authority should investigate the reports provided by the operator to see whether the facts on which they base their decision are correct. They should call in the Environmental Service for inspection and advice. This does not usually happen. Often, the Environmental Services are not sufficiently equipped to do this, but they are more independent in advising the board than a counter-expertise by another so-called reputable commercial company. They know among themselves how mitigating measures to prevent nuisance are made suitable on paper in order to obtain the permit. They will not usually criticize each other. Point out to the competent authority that only their own Environmental Service has no interest in this file."

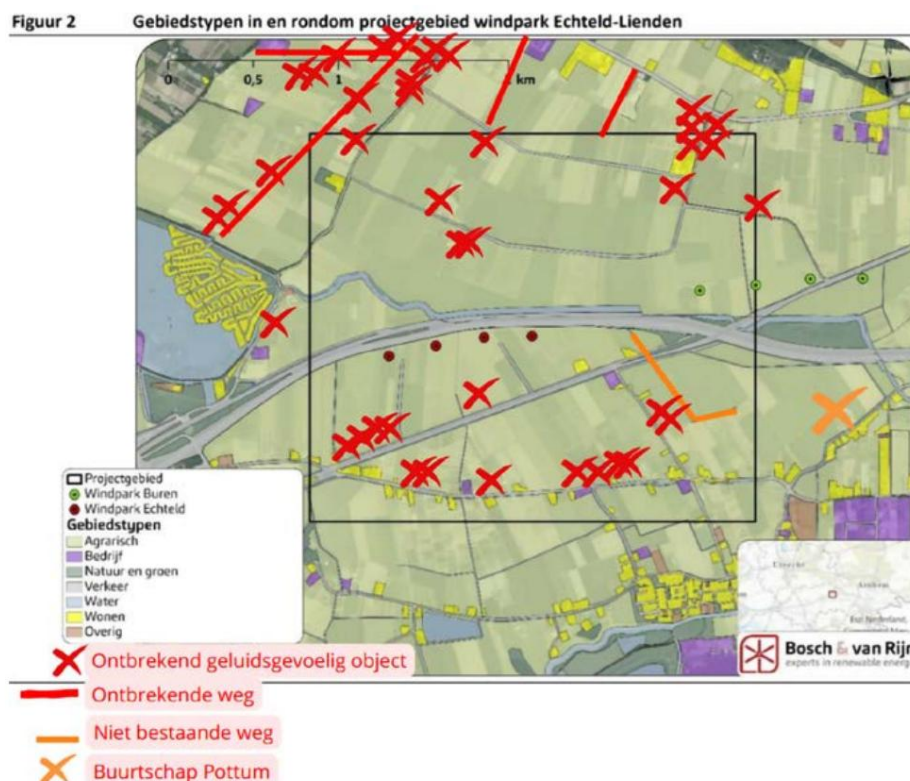
What is an Environmental Service? Municipalities and provinces have statutory environmental tasks to perform, monitor and enforce. Municipalities and provinces have set up a joint service for this purpose, which specialises in this complex environmental matter. The environmental task is thus placed at a distance via a joint arrangement, and is extended local government. A director is in charge of the daily management and the board consists of the aldermen who have the environment in their portfolio.

Klaas Bron talks about the procedure against the IJsselwind initiative: "We found more than 200 errors in the plans of the municipality, province and water board. After that I delved deeper into models about the damage to bird populations and bats by wind turbines. You can prove quite easily that the criterion used is incorrect in most cases. There is a lot of haggling. Initiators then hire an agency like Pondera to work things out further in their direction. Such an agency endlessly shifts the parameters and starting points until the desired result for the client emerges" (153).

The consequence of this course of events is that the burden of proof is reversed. Van der Scheur: "The most annoying thing for us as residents is that the big boys, in this case Vattenfall, with a big bag of money and a team of lawyers, apply for a permit and report

submitting incomplete or incorrect reports. The Provincial Executive members, who are not specialists, do not immediately see what is wrong. We, as citizens, then have to demonstrate that things are not correct. That is of course very strange". Source: "That means work and costs on our side. I find it extremely strange and unimaginable that governments and lawyers are allowed to deliberately write down inaccuracies in a procedure in order to gain an advantage over simple ignorant citizens".

In an article about the Environmental Act, which is also very relevant to the construction of wind farms, senator Eric Kemperman expresses his concerns about the rise of a kind of class justice: "The Environmental Act is impossible for people to follow. Unless you hire a lawyer. You have to be able to afford that. If you cannot buy your legal way in this system, then you have a weaker legal position in relation to the government. While the government should be there to strengthen and protect the legal position of the citizen. That is worrying". He is also concerned about the possibilities of the citizen to participate in decision-making: "Knowledge is power. Those who understand the system and the legislation, or who can buy knowledge, have an advantage over that citizen. While that citizen should actually derive rights from being a citizen. They should be protected against these kinds of large systems. Take wind and solar parks. The regulations are so complex. Even if you as a citizen are allowed to say something about it, can you really speak of full participation if the rules cannot be followed? If you then have experts at large organisations, where the knowledge has often gone, then you have a battery of lawyers and ecologists opposite you. There you are as a citizen. You have no chance".



**Figure 28:** Missing information in the justification of environmental standards for wind farm Echteld-Lienden.

### Set up a consultancy and/or research agency

After years of fighting against the arrival of wind turbine parks, there is a lot of knowledge among local residents. Often more than the average administrator. Experience shows that the input and opinions of residents and local residents' groups are taken into account. That is why it could be helpful to set up an advisory service and/or research agency from the local residents' groups. For example, the local residents' groups have proven experience

with organizing effective participation. The municipality could hire them for this.

Engineers in the groups regularly demonstrate errors by consultancy firms. Critical municipalities or provinces can have reports supplied recalculated by more independent parties. Experts from the network could be hired to carry out research that the government neglects to do. Below are two examples for inspiration:

The Human Scale Foundation organised a crowdfunding campaign to conduct academic research into a possible relationship between vaccination and excess mortality, because the government has failed to conduct that research. They collected more than 50,000 euros to finance the research. The research was led by statistics professor Ronald Meester and Dr. Marc Jacobs (157). In a similar way, scientists and doctors from local residents' groups could use crowdfunding to conduct part of the necessary field research that the government has not yet commissioned.

In Germany, local residents' groups have joined forces in 'Vernunft Kraft', 'reasoning power', or 'common sense'. The organisation shares information in papers and press releases and lobbies for sensible energy policies. Website: [www.vernunftkraft.de](http://www.vernunftkraft.de)

### Submit WOO requests

Do not hesitate to submit Open Government Act (WOO) requests for additional information.

Regular emails are not always answered. Governments are required to comply with WOO requests within a set period.

It is important to name your requests as specifically as possible.

If the request is not met, you can put the government in default on the basis of the Penalty for failure to decide in time law. If there is no response within fourteen days, a penalty must be paid. The amounts for this are fixed. For more information, see:

- WOO: [www.rijksoverheid.nl/onderwerpen/wet-open-overheid-woo](http://www.rijksoverheid.nl/onderwerpen/wet-open-overheid-woo)
- Penalty Payment Act: [www.rijksoverheid.nl/wetten-en-regelingen/productbeschrijvingen/penalty-fine-in-case-of-non-timely-decision-by-government](http://www.rijksoverheid.nl/wetten-en-regelingen/productbeschrijvingen/penalty-fine-in-case-of-non-timely-decision-by-government)

Useful information to request with a WOO request may include:

- All communications relating to wind policy, its development, communication  
nication between initiators and administrators (196).
- Contracts and draft contracts, information on revenue models and liability • Have draft requests been submitted?  
(See stages of administrative decision-making) • Research related to the project
- Vision and policy
- Safety data, incidents and failures and repairs, • The MSDS of  
the turbine blades and coatings • Leaks of hydraulic oil  
and the insulating gas SF6
- The *leading edge erosion* (LEE), and the amounts of bisphenol A and other chemicals released into the environment

### Hire a lawyer

It is useful to hire a lawyer at an early stage and to inform your legal assistance in good time. They can then assist the process and advise on the file formation. If legal action is necessary, your lawyer will be familiar with the file. Klaas Bron experienced the benefit of good coordination with the lawyer, who supported with the selection of main points. Bron: "We have always coordinated our arguments with our excellent lawyer, Rob Wertheim (and his colleague) from Zwolle. The legal translation of your arguments, and cooperation, matters!" (153).

### **Provide financing**

Taking action against wind farm plans not only costs time, but also money. For the website, for flyers and also for hiring external expertise. Source: "A sore point is money. The amount we spend on the lawyer and on research quickly amounts to around a ton. So we are talking about serious money from local residents, who do not get these costs reimbursed. The fact that we were able to invest that also makes a difference" (153).

When a foundation has been established, it can receive donations from both individuals and companies. Legal expenses insurance can provide support in some cases. It is then useful for local residents to be insured with **the same** insurer, but that does not always have to be a condition. When there are different legal expenses insurers, the coordination often lies with the chosen lawyer. Van Mook: "We have had good experiences with Achmea. They sound out whether choosing your own lawyer is a good option for the insured. The money that is released can then be used by the insured. Unfortunately, it is quickly used up on the lawyer's fees. The amount is limited and varies per insurer. However, if you stick with legal expenses, the available amount is used to hire experts and the lawyer comes from the general pot of the insurer. If you are alone or with a few people, you can then keep it up longer than if you choose your own lawyer. There is some discussion about the quality provided".

Wealthy residents in rural areas are sometimes prepared to provide considerable support, for example with legal advice, because their house will significantly decrease in value if plans go ahead. Reijnders: "Some wealthier people live in Maaseik. There was one of them who thought, if this goes ahead, I will lose a few million from my real estate portfolio. He immediately hired a good lawyer."

### **Know the force field**

There is a lot of money and many interests involved in the wind farms. "Make sure you know the political map," advises De Lange. Which parties within the municipalities and provinces are in favor? Which have doubts? Are they well informed? Energy companies, energy cooperatives and land owners can make a lot of money as soon as the wind farm is built. A legion of consultancy firms support both the initiators and municipalities, provinces, water boards and other government players (13). For example, also investigate the participation in consultation structures, the CV and the network of those who manage the energy portfolio and direct the project within the municipality or province. It is a regular occurrence that they also participate in other projects, from the government or outside, that focus on 'renewable' energy. Nature conservation organizations, especially the larger ones at national level, still pay lip service to issues such as bird protection, but in practice support the rollout of wind on land (255 p. 69).

Because there are so many interests at stake, tensions can sometimes run high. It is advisable to record important conversations, so that no misunderstandings arise about the exchange afterwards. Also make a conversation report. Send this to the relevant directors and ask for a response. With the comment that if there is no response, it will be assumed that the report is correct.

### **Financial participation and energy cooperatives**

#### **Energy cooperatives**

The presence of energy cooperatives also appears to make a difference. The government hopes that through financial participation in wind farm projects, the resistance against them will decrease. The administrators interpret the presence of a wind farm as a sign of support among the population. In practice, this appears to be a sham. Many of the participants in the cooperatives live far from the wind farm, and will therefore earn money, but will not experience any inconvenience. Rob Rietveld of the

NLVOW: "In many places, local energy cooperatives are used by politicians to demonstrate that there is support for wind plans. But the members often do not live where turbines are planned, and the real residents are not heard sufficiently. It is a false representation". Moreover, according to the Democratic Energy Initiative, "in practice, a multiple of the residents are often against the plans when it comes to the construction of a wind turbine park. The democratic majority is, as it were, overruled by this strategy.

Local ownership cannot be a key to pushing through projects when the majority of the population in a given area does not support these projects because they damage their habitat, the environment and public health" (198).

Annita Verkennis, resident of a wind farm near Neer in Limburg: "As a resident, you could earn a good amount of money from it, at least if you participated in the cooperative that runs the wind farm. Of the 150 'local' investors, most live more than 2 km away, some even on the other side of the Maas. I doubt whether all these members are aware of the amount of misery they are financing for local residents. Ultimately, it is precisely a cooperative that creates division in a municipality. It is precisely people from your own municipality who are responsible for the misery that we experience every day. Cooperatives like to advertise with: of, for and by local residents, but in practice, residents were even told during a meeting: even if we know that we are making you sick, we will continue to operate because we want to earn money and... the government allows it" (115).

### **Environmental**

**Fund** For financial participation, an environmental or area fund is set up to compensate for the nuisance, which is offered and organised under the direction of the municipality and paid for by the operator. According to the Climate Agreement, decision-making is done by the environment. In practice, local residents appear to have little say in the distribution of funds (256). Van Mook: "Actual financial participation is only an issue if a say and guarantees for local residents are assured" (222). Social projects, such as a playing field, or money are then paid for via a foundation set up especially for this purpose.





for the community centre. Van Mook: “Remember that a municipality must have a mandatory policy for play locations. Indirectly, a municipal task is therefore financed from the area fund that receives a pittance of the excess profit that the operator makes. It would be better if the money were reserved to support the residents versus the operator and the municipality. In the event of complaints, the annual fee can be saved for the counter-expertise, that necessary measurement of € 130,000. Or for legal assistance regarding that planning damage. But that is not allowed...”.

### **Inform and involve directors**

Plans for wind farms are very complex dossiers. Within the municipalities and among council members, the knowledge to make well-informed decisions is often lacking. “Make sure that you bring knowledge and information to the administrators,” advises De Lange. “At the municipality, approach the board of mayor and aldermen, the party leaders, political parties, and the municipal council. Lower authorities are often divided and not every lower authority is in favor of placing wind turbines. Show understanding for the average administrator who is saddled with this dossier, about which he actually has far too little knowledge to be able to make a good decision.”

On the municipal or provincial website, under the heading 'management and organisation', it is stated who is in the College and who is in the Council or States. Correspondence for the Council and States (main management) goes via the registrar's office. The College (daily management) must be written to separately.

“We had coffee table discussions with all the political parties in the run-up to that permit,” says Reijnders. “We wanted to make ourselves known as local residents and explain what our fears were. We didn't go in as an action group, but as a discussion partner.

That was not really what people were used to, I have to say. We informed everyone based on facts that you can check, showing real knowledge and expertise. The municipality saw a group of people in front of them, who were really very strong. There were really some good experts among them”.

When the tension started to rise and the permit application was coming up, Reijnders sent short news reports to the administrators. Reijnders: “If I came across something in a newspaper, I translated it to our situation. Those were very short e-mails; those people have to read so much. If you flood council members with reports of 25 pages, they will never read it. I sent those reports to all council members on a regular basis.

Not everyone was happy, some called it spam. That was not applicable because it is not advertising that I sent, and I am free to send an email to directors”.

In the municipality of Raalte in Overijssel, plans for the installation of wind turbines were announced in 2024. Active residents organised several information meetings. Eight council members were present at one of these well-attended meetings. Several experts, including a doctor and a lawyer, gave presentations. Bert Weteringe, who lives in Raalte: “Initially, the council was in favour. But they actually don't know what they are getting themselves into, how much knowledge is actually already available about the damage caused by wind turbines. After the presentations, they voted against the proposal”.

Municipalities often feel pressured by the province, and the province in turn by the national government. They also have the impression that they have to comply with the RES agreements. That is unjustified, because the RES agreements have no legal basis (19; 24).

Furthermore, the new wind turbine standards, like those of the Activities Decree, do not comply with the SMB Directive, since health was not primarily taken into account in the EIA procedure for the new wind turbine standards, and no additional research was carried out to fill gaps in knowledge. This means that European law is directly applicable. The municipalities and provinces must comply with it, even if the Ministry of Economic Affairs acts in conflict with that law. De Lange continues: “In addition, the primary task of the municipality and province is to protect the health of people and the living environment. This trade-off between protecting the health of the people and the living environment is essential.

public health, environmental protection and the importance of wind cannot be made good now, because long-term health studies are lacking. The new standards (which will be published in the autumn) also do not include the effects on health. Each administrative body is directly linked to EU law, they must conduct their own research. You cannot expect a lower government to act in conflict with European law, so it is unfair that provinces or municipalities feel pressured to cooperate in the construction of wind farms. The lower government does not have to refuse cooperation.

They can currently indicate that the conditions of EU law must first be met before further construction is possible" (24). That is why De Lange advises the lower authorities: "Particularly on the point of 'do we now refuse to cooperate'? No, on the contrary, we want to adhere to the mandatory European Union law, and we must. We do not refuse, but we act carefully and we are there for our citizens. Lower authorities too, seek legal assistance to take that position. In the past that was not possible. Nowadays it is." (24). Lower authorities can, for example, urge the Council of State to request a preliminary ruling from the European Court on the lawful application of the SMB Directive.

The decision-making authority on permits still lies with the lower authorities, as was evident from the answers given by State Secretary Vivianne Heijnen to questions from Member of Parliament Henk Vermeer of BBB. On 19 March 2024, during a parliamentary debate, he even called for: "Can the State Secretary immediately impose a stop on the connection and licensing of wind turbines in onshore wind farms, not only for health reasons but because there is already no connection space to the electricity grid?". To which Heijnen replied: "Imposing an immediate stop is not possible. You also have to deal with local policy in the area of wind turbines. There is room for more control there. So frameworks are set nationally, after which it is up to the local authorities to see to what extent they will or will not make wind farms possible within those frameworks. At the moment, the competent authority must make a location-specific assessment for a new wind farm. [...] The municipality or the province is the competent authority. So that can differ. It depends a bit on where such a windmill is built. The government is not a competent authority. As a result, we cannot refuse permits" (97).

### **Involve other stakeholders**

Once it is clear which focus and priorities are chosen, it is important to find stakeholders and experts in the main themes in the dossier.

Examples of stakeholders that can be approached:

- Residents about noise pollution, health risks, especially for children, depreciation of houses
  - Parents, doctors,
- daycare centers, schools, hospitals about health risks
- Water board: possible risks for water extraction
- Companies in the vicinity of the wind farm, about employee health, external safety, changed zoning for the companies •
- Nature conservation, bird protection, environmental protection
- Organizations for the protection of cultural history and landscape values

### **Water board**

In Belgian Limburg, for example, there were plans for a wind farm next to a Dutch water catchment area. BLOW-ES then informed the Waterleiding Maatschappij Limburg about the leakage of unknown, but possibly large quantities of bisphenol A into the drinking water, and that it is unknown what the risks of this are. The Waterleiding Maatschappij Limburg then raised objections in a statement to the municipality of Maaseik, in which they requested proof that no damage would occur.

### **Companies**

Just like local residents, companies are also not informed about wind farm plans in a timely manner. Reijnders decided to take matters into his own hands and called all companies on the industrial estate next to the proposed wind farm to ask whether they were aware of these plans. Reijnders: "We had noticed that permits for companies were being frozen, because the risks in the area were now being assessed differently. The first one was already a hit. I explained: a wind turbine is going to be placed 40 metres from your front door. The director reacted with surprise. He said: that is absolutely impossible, we are going to invest 80-90 million here. The story was in the newspaper within a few days; that an action group had informed the company about the municipality's plans. That caused quite a stir. We were lucky, there was someone in our group who had a very short line to the local newspaper".

The Leefbaar Voorthuizen Foundation also approached companies in the area. The plans for the wind turbines were located in the middle of the tourist attraction of the Zeumeren Recreation Area, with 65 campsites and other recreational companies. Research was conducted to gauge the impact of the turbines on business. They used a short survey and a list of signatures to ask whether tourists would return if the turbines were installed. 50% of them indicated that they would no longer want to come to Voorthuizen, and would prefer other campsites on the Veluwe. At the request of some campsite owners, the lists were even removed earlier, because too many holidaymakers did not want to book for the following year for this reason. A financial expert was then deployed to make a cost-benefit analysis, assuming that tourism would decrease by 30%. Based on this information, the foundation wrote a manifesto, which was signed by 31 companies and interest groups.

### **Landowners**

Landowners can earn a lot from the wind farm, but they also run risks. Are they aware of these risks? If they live on the site themselves, they can also suffer from health problems. The contracts are long-term. Is the landowner responsible for dismantling the wind turbine or cleaning up parts on their land as a result of an incident, such as in Nantucket, where a wind turbine blade broke into billions of pieces? The costs for this are not insignificant. What are the risks of erosion of the wind turbine blades on agricultural land? Is it healthy for cattle to graze on it? If a fire or blade breakage occurs, the land is no longer suitable for grazing cattle or growing food (128).

According to the Environmental Act (5.2.1 BAL), the polluter is responsible for cleaning up. If it appears that the soil has been affected compared to the initial situation, the entrepreneur must restore the soil quality. In contracts with landowners, this obligation is often passed on to the landowner via the compensation to be received (222).

### **Ensure that full participation is organised**

The director is obliged to set up participation. The requirements for this are not very specific and leave much to be desired. The obligation is an opportunity for the group of residents to insist that full participation is organised. Reijnders: "An environmental and participation fund had to be set up. The municipality could not provide an answer to how they were going to do this, nor could the project developer. We then insisted on climate tables where we could discuss this, and urged the municipality to find someone to lead this. That eventually became Rob Rietveld of the NLVOW. In addition, we forced a council conference at the time, and pushed for a survey on the support for these wind turbines. This showed that only 30% were in favour, and the remaining 70% were not".

## Legal action: hold liable

As can be seen from the above and the rest of the report, there are many things wrong with the construction of wind farms: the RES agreements have no legal basis, the requirements of the Aarhus Convention have not been met, European law is being violated by not applying the SMB Directive correctly, and administrators are not being fully informed by the RIVM about the state of science regarding risks to public health from industrial wind turbines.

Before taking legal action, the director can be held liable for possible future damage. Bart Oskam, chairman of the Stichting Stop Windplan Isselt explains why the foundation formally holds the municipality of Amersfoort liable: "We have spoken in the municipal council countless times to demonstrate that Windplan Isselt is completely irresponsible, with very harmful consequences for residents, entrepreneurs and nature. The small proceeds do not nearly outweigh the enormous social costs. Then, under the guise of a supposed general interest, the municipality makes a political assessment to save the coalition and still continue with the development. We find this completely irresponsible and therefore feel compelled to take legal action on behalf of our 1100 participants. We are prepared and able to continue litigation all the way to the Council of State. Let this also be a clear signal to any developers who wish to be considered for the exploitation of Windplan Isselt" (257).

By following the form of the EIA procedure, the illusion is created that the SEA Directive has now been complied with. This is demonstrably not the case. This means that lower authorities that implement the new standards are still acting in conflict with EU law. Prof. Koers gave advice on how the unlawful situation that arose because of the Activities Decree can be restored. This advice can also be applied to the new standards:

### New wind farms

If a wind farm has not yet been built, if construction is still underway or if the farm is to be modernised, the action plan is as follows:

1. Check whether the permits refer to the now unlawful Activities Decree or Activities Regulation, the temporary bridging arrangement or to the new wind turbine provisions.



2. Send a registered letter to the municipality or province with a formal demand to suspend decision-making, withdraw permits and/or halt construction until an environmental impact assessment has been drawn up in which the effects of wind turbines on public health have been comprehensively examined.
3. If the municipality or province rejects the claim, an objection can first be lodged with the municipality or province. If that is rejected, an appeal can be lodged with the administrative court (164).

### **Existing wind farms**

The permits issued under the Activities Decree were unlawful. The permits issued under the new standards, for which the necessary research has not been carried out, are also unlawful. De Lange: "At its core, the SMB Directive is about protecting health. Health is not being investigated because, according to the government, that would require multi-year research. At its core, the basis of the new standards is therefore absolutely unsound from the start" (24).

Koers states about the Nevele ruling: "The European Court also clearly stated (for the enthusiast: in considerations 83 and 84 of the Nevele ruling) that national authorities, including judicial authorities, must do everything in their power to undo the legal consequences of their unlawful actions". Depending on who the competent authority is, the following demands can be sent to the state, the province or the municipality:

1. What actions will they take to undo the legal consequences of their unlawful conduct, as required by the European Court?
2. Compensation must be paid to local residents who have been experiencing nuisance for years. have experienced due to unlawful actions by the government.
3. A request to revoke permits and demolish the unlawfully constructed wind farms (164; 258).

In most cases, the appeal concerns administrative law. However, Stichting Tegenwind Echteld-Lienden is considering criminal proceedings: "We have submitted all our information and concerns to the Provincial Executive. And we also stated there: we have informed you, and we have much more information. You can no longer hide behind ignorance.

If you now decide without proper investigations or only on the basis of Vattenfall's reports, we will see that as fraud and we will start criminal proceedings" (97).

In the article 'Can residents of wind turbines be compensated for possible health damage and loss of value of their home?', Dr Leonieke Tigelaar, university lecturer in the law of obligations at the University of Groningen, explores whether it is possible to use civil law procedures to obtain compensation for the loss of value of a home or possible health damage. Because there is still uncertainty about the relationship between noise from wind turbines and health complaints, she considers it "almost impossible for residents to actually be compensated for health damage because the causal relationship between the damage and the presence of the wind turbine is uncertain" (84). Conversely, this means that the more certainty there is about the health damage suffered, the greater the chance of successful civil action against administrators and operators.

### **Send collective requests for a reduction in property tax to the municipality**

The arrival of a wind farm will cause houses in the area to decrease in value. Apply with all residents to the municipality for a reduction of the WOZ tax **and** file an individual objection within six weeks after the WOZ assessment has been received. The arguments can be the same as in the collective appeal, supplemented with your own objections appropriate to the taxed property.

# 10<sup>Call</sup> Call for a moratorium on onshore wind

■ *'Better to turn back halfway than to go astray completely'*

This report has addressed many abuses surrounding the roll-out of onshore wind. Considering that:

- Citizens are not given full and timely input in all administrative decision-making procedures have had a say, as required, inter alia, by the Aarhus Convention;
- In all places where plans for onshore wind are announced, civil resistance movements are emerging, a signal that there is a lack of support for the policy;
- There is serious scientific evidence that wind turbines, and in particular the low-frequency noise they produce, are harmful to the health of adults and children in their development. This requires precautionary measures;
- The RES agreements have no legal basis;
- That a plan-MER has not been carried out for either the Climate Agreement or the RES 1.0;
- The RES target from the Climate Agreement of 35 TWh of solar and wind on land has already been achieved;
- The effects of wind turbines on public health in the plan-MER for the wind turbine standards not have been examined;
- The new wind turbine standards therefore, like the standards from the Activities Decree, do not apply comply with EU law, the SEA Directive;
- The permits that are granted on the basis of a standard that does not comply with the law are unlawful and that these permits are therefore contestable;
- The energy transition policy does not lead to the intended goal of reducing the global CO<sub>2</sub> emissions and reduction of warming;
- Onshore wind supplies only 3.15% of total energy demand, raising questions about whether this is a suitable technology to replace fossil fuels;
- The contribution of 9.35% of weather-dependent energy to total energy demand already provides grid congestion problems;
- Quantitative knowledge about the technical feasibility, the costs of the energy transition and the space required for this is lacking;
- The policy followed results in deindustrialization of the Netherlands, with consequences for the economy, employment, prosperity and geopolitical dependencies;
- Wind turbines are not sustainable from the moment of production to dismantling and are a burden on the environment,

We ask for reflection on the policy pursued, the collection of necessary information for making informed policy decisions, and a broad public debate. That is why we advocate a moratorium on the further roll-out of onshore wind until this knowledge has been gathered, and a debate on the costs, benefits and consequences of the energy transition in the long term has been held.

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# THE WIND TURBINES DRAMA



## Elze of Hamelin

Elze van Hamelen is a former sustainability consultant.

She started her work out of idealism, to contribute to better conditions for people and the environment. Over time it became clear that many other interests were at stake. Climate overshadowed almost all other environmental problems. At the same time she noticed that the science of climate was not allowed to be discussed, something that in itself is

very unscientific. The disadvantages of solar and wind energy were also not open to discussion. The doubts about her work led to a career change.

The motivation to contribute positively has remained the same, the way in which Van Hamelen is committed has changed. As an investigative journalist, she has reported for De Andere Krant in recent years on subjects such as governance, citizen participation, UN policy, propaganda, behavioral influence and the major reconstruction of the Netherlands. For the Solari Report, she conducted research into Dutch farmers and fishermen.

## Will wind energy become the new benefits scandal?

The construction of mega wind turbines on land threatens to become a new benefits scandal. The number of people who experience serious inconvenience from wind turbines, especially sleep deprivation and health complaints, is increasing rapidly now that new wind turbines threaten to be almost as high as the Eiffel Tower and are being placed ever closer to residential areas. The citizens concerned do not feel heard, run into walls at every government counter and are not protected by the law.

In this book, investigative journalist Elze van Hamelen shows the pitfalls of the industrial wind turbines that the Dutch government wants to install throughout the country.

Following the findings in the book, the Clintel Foundation is calling for a moratorium on new construction plans for wind turbines.



This book is published by  
the Clintel Foundation  
in collaboration with  
publisher Succesboeken.nl

