

THE **WINDS** OF CHANGE

WIND TURBINE SITING:
Is it a private property right
or community decision?

TEXICO FFA CHAPTER



520 N Griffin St
Texico, NM 88135
505-482-3801

New Mexico State Competition
June 1, 2022

ISSUE SUMMARY

LIST OF COURSE(S)

- Environmental Science/Natural Resources (11 Students)** - Focused on renewable energy development and the standards adopted in New Mexico to reduce greenhouse gas emissions.
- Applied Science in Agriculture (12 Students)** - Evaluated the economic impact of land use decisions and the impact of those decisions on agricultural, renewable energy development and conservation. Considered how land use decisions may impact neighbors, local communities, and the state.
- Agricultural Leadership (8 Students)** - Developed written materials, practiced oral presentation skills, and learned how to use technology for effective group communication.

WHAT IS THE NATURE OF THIS ISSUE?

Contentious wind turbine siting concerns have arisen between private property owners, wind developers, military installations, neighboring citizens and environmental groups. The expansion of wind developments into traditional agricultural areas can encroach on rural communities and military training flight paths. In New Mexico, no unified system exists to "ensure that wind turbines, solar modules and associated infrastructure located on or near military installations are compatible with testing and training activities" (Durkay, 2016). Further, many environmental groups are concerned with the impact wind turbines have on birds, bats and wildlife migratory patterns (Choi et al., 2020).

WHO IS INVOLVED IN THE ISSUE?

- Agricultural Producers:** Agricultural producers work with wind developers to locate turbines to coexist with their agricultural enterprise. Annual wind energy payments provide financial stability to producers (Weise, 2020).
- Agricultural Industry:** The agricultural industry accounts for 11% of all greenhouse gas emissions and needs to evaluate ways to reduce its carbon footprint (EPA, 2022).
- Military Installations:** New Mexico is home to five military installations that conduct advanced aircraft flight training, missile tests, satellite tests, and aircraft surveillance (Myers, 2021).
- Citizens:** Neighbors often oppose wind turbines due to size, noise, lighting, and shadow flickering (Rich, 2022).
- County Government:** Local decision-makers are best to balance the concerns of private property owners, citizens, and evaluate economic growth in rural areas (HDR, 2011).
- The State of New Mexico:** State Level decision-makers are best to balance New Mexico's transition to renewable energy, while protecting critical military flight training paths (Durkay, 2016).
- Environmental Community:** Environmental studies have shown that utility scale wind developments may be harmful to the environment because of the bird and bat mortality, and the disruption in the migratory patterns of elk, pronghorn, and the greater prairie chicken (Choi et al., 2020).

WHAT ARE THE BENEFITS?

- Protecting private property rights is a cornerstone of freedom and democracy
- Wind energy is a proven, cost-effective source of clean, renewable energy
- Hosting wind turbines diversifies land use, provides dependable cash flow, and can coexist with production agriculture
- Local officials are best to assess the impact of wind development on its residents and neighborhoods
- Renewable energy development brings investment and jobs to rural areas

WHAT ARE THE RISKS?

- Wind Energy is an intermittent energy source
- Wind turbines infringe upon neighboring property rights, home values, and detract from the landscape
- A county-by-county approach will result in disparate wind turbine siting rules
- Local decision makers may not have enough information to evaluate the impact of wind development on military training and testing
- Wind turbines can negatively impact the environment, birds and wildlife

ISSUE SUMMARY

WHAT IS THE HISTORICAL BACKGROUND OF THE ISSUE?

- **1791:** The 5th Amendment to the United States Constitution states no person shall "be deprived of life, liberty, or property without due process of law (Const. Amend. V).
- **1953:** New Mexico adopted local zoning laws to allow cities and counties to make decisions concerning zoning, land use, health and safety (NMSA 1978, §3-21-1 (1953)).
- **1958:** Charles D. Keeling conducted the first reliable measurement of atmospheric carbon dioxide, which is known as the Keeling Curve (Monroe, 2021).
- **1999:** First commercial wind facility completed in Curry County, New Mexico (Cielo, 2020).
- **2010:** Cannon Airforce Base officials request notification of wind turbines taller than 75 feet due to potential interference with radar systems. Curry County Commission unanimously approved a resolution supporting Cannon Airforce Base low-altitude training plans (Staff, 2010).
- **2011:** Congress established the Military Aviation and Installation Assurance Siting Clearinghouse to review the compatibility of proposed wind, solar, transmission, and other projects with military activities (Casillo et. al, 2021).
- **2019:** New Mexico passed the Energy Transition Act ("ETA") creating a 50% renewable energy standard by 2030 and 100% zero-carbon electricity by 2045 (NMSA 1978, §95A4 et. al. (2019)).
- **2020:** A study was completed at forty-four wind facilities to evaluate bird and bat fatalities and displacement of other wildlife (Choi et al., 2020).

HOW CAN THIS ISSUE BE DEFINED?

This forum "Wind Turbine Siting: Is it a private property right or a community decision?" focuses on an "Economy and Trade Issue" as listed in the Focusing on Agricultural Issues instructional materials. The forum addresses the tensions between local and state decision making and the impact of those decisions on the local economies, military training, and neighboring citizens. This Forum also discusses "Environmental Issues" and "Agricultural Policy" by highlighting greenhouse gas emissions, the transition to renewable energy, and opposing viewpoints on private property rights, as well as the impact of wind turbines on birds, bats and wildlife.

WHY IS THIS ISSUE IMPORTANT NOW?

New Mexico is the one of the fastest warming states in the nation, the average annual temperature has increased by 3.32°F between 1970 and 2018 (Richter, 2020). To address rising temperatures, New Mexico adopted the Energy Transition Act ("ETA"), which established a 50% renewable energy standard by 2030 and 100% zero-carbon electricity by 2045. All industries, including agriculture, are under pressure to reduce and offset carbon emissions. The expansive renewable energy resource in New Mexico creates high quality opportunities for wind development. New Mexico has ideal terrain and climate for military defense and aerospace projects (Kiprop, 2020). Federal research and development facilities account for about one in 10% of all jobs in New Mexico (Myers, 2021). Decisions about wind energy development may result in unintended impacts on military surveillance, air traffic control, radar systems, and training (Durkay, 2016). Wind energy development brings millions of dollars in jobs and community benefits to rural economies, communities and school districts (Pyle, 2020). However, wind turbines can also be considered a nuisance, damaging the picturesque landscape and causing noise pollution. (Kilbane, 2018). Further, utility-scale wind projects can also damage the environment and wildlife, which should be considered as well (Choi et al., 2020).

IS THERE STRONG DISAGREEMENT ON HOW THE ISSUE SHOULD BE SOLVED?

Yes. A contentious debate is raging in New Mexico. Proponents argue local decision-makers are best to make decisions concerning private property, zoning and economic development. Rural communities are facing a decline in population due to the loss of jobs, farms and lack of economic development. While opponents of wind development argue that state level decision-makers are best suited to balance military preparedness, environmental impacts, and moderate the transition to renewable energy.

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INTERVIEWS**Denton, Eric**

Chief Operating Officer,
Southwest Cheese Plant
Texico, New Mexico
May 16, 2022

Hunt, Lorelee

NM Counsel,
Southwestern Power Group
Texico, New Mexico
April 16, 2022

Turner, Jeremy

Director of Wind Development,
Pattern Energy.
Texico, New Mexico
May 18, 2022

EMAIL CONTACTS

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Hunt, Lorelee, NM Counsel, Southwestern Power Group

lhunt@southwesternpower.com

White, Ashley, Chief Appraiser/Associate Broker, Gavilan Solutions

awhite@gavilansolutions.com

LEGAL AUTHORITY

Energy Transition Act, NMSA 1978, §95A4 et. al. (2019)

Municipalities, Zoning, NMSA 1978, §3-21-1 (1953)

U.S. Constitution. Amend. V.



LOCAL FORUM PRESENTATIONS

<i>When</i>	<i>Where</i>	<i>Audience</i>	<i>Number Present</i>
May 18, 2022	701 Avenue A Farwell Texas	Texico Farwell Rotary	23
May 19, 2022 3:00 PM TEAMS Meeting	520 N. Griffin St. Texico, NM 88135	SunZia Transmission LLC Team Leaders	8
May 19, 2022 5:15 PM	Clovis-Carver Library 701 N. Main Clovis, NM 88101	Clovis City Commission	65
May 23, 2022 9:00 AM	4501 N. Prince Street Clovis, NM 88101	Ag New Mexico Regional Staff Meeting	12
May 23, 2022 2:30 PM	2600 Mabry Drive Clovis, NM 88101	Senior Olympic 50+ Board Meeting	6
May 24, 2022 9:00 AM	Clovis-Carver Library 701 N. Main Clovis, NM 88101	Curry County Commission	25
May 24, 2022 10:30 AM	420 N. Main Street Clovis, NM 88101	Rooney and Moon Radio FM 107.5, Staff Meeting	8
May 25, 2022 9:00 AM TEAMS Meeting	520 N. Griffin St. Texico, NM 88135	Dairy Farmers of America	5
May 31, 2022 10:00 AM	MSC 3189 Las Cruces, NM 88003	New Mexico Department of Agriculture	11
June 1, 2022 1:30 PM	Corbett Center Las Cruces, NM 88003	New Mexico FFA Convention	15
August 25, 2022 8:30 AM	420 N. Main Street Clovis, NM 88101	Rooney and Moon Radio FM 107.5, Staff Meeting	Radio Show with 10,000 Listeners
August 25, 2022 12:30 PM	Clovis Civic Center 801 Schepps Boulevard Clovis, NM 88101	Water and Natural Resources Legislative Committee	59

WATER AND NATURAL RESOURCES LEGISLATIVE COMMITTEE

AUGUST 25, 2022 | 59 MEMBERS



New Mexico State Senate

State Capitol
Santa Fe

Committees

MEMBER:
Legislative Finance

SENATOR PAT WOODS

R-Curry, Quay & Union-7

4000 CR M
Broadview, NM 88112

Home: (575) 357-8594

E-mail: pat.woods@nmls.gov

August 26, 2022

Dear Honorable Judges,

I had the opportunity, as a member of the New Mexico Water and Natural Resources Interim Committee ("WNRC"), to hear a presentation given by the Texico FFA Agriculture Issues Team during our meeting on August 25, 2022, at 1:30pm in Clovis, NM. WNRC has the authority to endorse legislation that will be filed and presented during the upcoming legislative session. Our committee reviews policies and regulations concerning water, energy, minerals, wildlife, environment, oil, gas and other natural resources.

In 2021, the largest single-phase construction wind project in the United States was built in New Mexico. The American Wind Energy Association has ranked New Mexico as the nation's fastest growing state for wind energy construction. Because of the rapid development of wind over the last five (5) years, wind turbine siting conflicts have become very contentious. Our committee has heard many hours of testimony on each issue presented by the students. The students did a great job of concisely presenting each facet we are currently considering in the legislature. State and local officials are debating who decides the appropriate balance between economic development, citizens rights, the environment, and support for our state's critical military installations.

I commend these students for taking on such a difficult and important issue. I look forward to one day seeing them sitting in my seat helping to make these hard decisions. I sincerely appreciate the hard work of each volunteer and staff member of the FFA Organization for mentoring and training our future leaders. We appreciate all that you do for our kids.

Respectfully Submitted,

Pat Woods

Pat Woods
Senate District 7

"These students did a great job of concisely presenting each facet we are currently considering in the legislature.

I commend these students for taking on such a difficult and important issue. I look forward to one day seeing them sitting in my seat helping to make these hard decisions "

- Senator Pat Woods



ROONEY MOON RADIO

AUGUST 25, 2022 | 10,000 LISTENERS



42437 US 70
Portales, NM 88130
575-359-1759

420 North Main Street
Clovis, NM 88101
575-763-0338

August 25, 2022

Dear Honorable Judges:

I'm writing to offer praise of the Texico FFA students who presented live during the Mix Morning show with KT & Cari during the 8:30 AM time slot on Thursday, August 25, 2022. During the morning hour, the students reached approximately 10,000 viewers who were listening to MIX 107.5. They presented the facts surrounding "Wind Turbine Siting" and the conflicts that can arise between all members of the community. They thoughtfully presented each side of the controversy. I commend them for their hard work and clear and concise responses to difficult questions.

If I can answer any further questions, please don't hesitate to call me directly.

Respectfully,

Duffy Moon

President: Rooney Moon Broadcasting
420 North Main Street
Clovis, NM 88101
575-763-0338, ext. 102
duffymoon@rooneymoon.com



"During the morning hour, the students reached approximately 10,000 viewers who were listening to MIX 107.5. ... I commend their hard work and clear and concise responses to difficult questions." - Duffy Moon

CLOVIS CITY COMMISSION

MAY 19, 2022 | 65 MEMBERS



"It was clear each student was knowledgeable and well-prepared."

- Megan Palla

Michael Morris
Mayor



Chris Bryant
Mayor Pro Tem

May 19, 2022

Dear Honorable Judges:

We enjoyed the agricultural issues presentation by Texico FFA on Wind Energy Siting on May 19, 2022 at the Clovis City Commission meeting. The six FFA members did a good job showing all sides of wind turbine siting and how it impacts communities and the state. The students addressed private property rights, community concerns, military preparedness, and concerned citizens. It was clear each student was knowledgeable and well-prepared. We wish them the best of luck in their competition.

Sincerely,
Megan Palla

Megan Palla
City Commissioner, District 4

CURRY COUNTY COMMISSION

MAY 24, 2022 | 25 MEMBERS

**Curry County
New Mexico**
Board of County Commissioners
417 Gidding Street, Suite 100
Clovis, NM 88101
Phone (575) 763-6016 · Fax (575) 763-3656



COMMISSIONERS
Robert O. Sandoval · District 1
Tom Martin · District 2
Chet Spear · District 3
Seth Martin · District 4
Robert Thornton · District 5

County Manager · Lance A. Pyle

May 25, 2022

RE: Texico FFA

Dear Honorable Judges:

The Board of Curry County Commission and I enjoyed the agricultural issues presentation by Texico FFA on wind turbine energy siting on May 24, 2022 at the County Commission meeting. The 6 FFA members did an outstanding job presenting the issues surrounding wind development projects. The students addressed all sides of the issue including private property rights, community concerns, the need to preserve military flight training paths, and the views of concerned residents. This is an important issue in Curry County. We greatly appreciated the students research into the pros and cons of wind energy development. We were very impressed and we wish them the best of luck in their competitions.

Sincerely,

Lance A. Pyle
Curry County Manager

"We greatly appreciated the students research into the pros and cons of wind energy and development."

- Lance A. Pyle

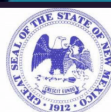


NM DEPT. OF AGRICULTURE

MAY 31, 2022 | 11 MEMBERS

"This is truly a complex, real-life issue and many communities are struggling to find balance."

- Jeff M. Witte



**DEPARTMENT OF AGRICULTURE
STATE OF NEW MEXICO**

MSC 3189, Box 30005
Las Cruces, New Mexico 88003-8005
Telephone (575) 646-3007

MICHELLE LUJAN GRISHAM
Governor

JEFF M. WITTE
Secretary

June 7, 2022

National FFA Agriculture Issues Judges
National FFA Organization
6060 FFA Drive
Indianapolis, IN 46278-1370

Dear Honorable Judges:

The Texico FFA team presented their Agricultural Issues presentation on Wind Energy Siting to the leadership team at the New Mexico Department of Agriculture on May 31, 2022 at 10:00 AM. The six FFA members did a great job presenting all sides of wind turbine siting.

This is truly a complex, real-life issue and many communities are struggling to find balance. The discussion included diversified points of view that included private property rights, community concerns, and airspace conflicts with military installations. The level of knowledge presented in their discussion was impressive. The professionalism of this group was outstanding. Our team had an opportunity to ask detailed questions of each team member. The individual answers showed that each team member was well prepared and understood the key issues being discussed. I have had opportunities to attend many meetings where complex issues are discussed, and this team can certainly stand proud of their knowledge and preparation.

I was pleased that the team placed first in the state competition. I look forward to their continued success, both in this contest and in their lives as contributing members of society. We wish them the best of luck in their competition.

Sincerely,

Jeff M. Witte



NEW MEXICO FFA CONVENTION

JUNE 1, 2022 | 15 MEMBERS



"Many of my legislative colleagues could learn information dissemination and persuasion skills from these FFA members!"

- Candie G. Sweetser



State of New Mexico
House of Representatives
Santa Fe

CANDIE G. SWEETSER
D - Luna, Hidalgo & Grant
District 32

10520 Hermanas Road SW
Deming, New Mexico 88030
Capitol Phone: (505) 986-4233
Home Phone: (575) 546-2915
E-mail: candie.sweetser@nmlegis.gov

COMMITTEES:
Appropriations & Finance
Education

June 30, 2022

Dear Honorable Judges:

It was my pleasure to serve as a judge for the Agricultural Issues LDE during the New Mexico FFA State Convention in Las Cruces, NM. The contest took place June 1, 2022, at 3:30 p.m., on the campus of New Mexico State University.

I was especially impressed with the Wind Energy Siting presentation by Texico FFA members.

The members were able to present the various issues of a site-specific proposed wind energy development in a format that was easy to follow and understand. The students obviously grasped the nuanced concerns of different stakeholders, and were able to present those concerns clearly and passionately while maintaining a professional dialogue. Many of my legislative colleagues could learn information dissemination and persuasion skills from these FFA members!

As a former FFA member myself, I am always proud and impressed with the quality of young people in the organization. I found this particular group of Texico FFA members even more impressive than most, however, because of their communication skills and ability to embrace issues affecting agriculturists, land owners, government officials, and military air space concerns. It was encouraging to see the many sides of an issue presented in such a thoughtful and respectful way.

Again, I was privileged to hear these young people present, and wish them the best as they continue in the contest. Feel free to contact me at (575) 494-0747 or by e-mail at candie.sweetser@nmlegis.gov if I can help in any way.

Sincerely,

Candie G. Sweetser

Candie G. Sweetser
State Representative District 32

SUN ZIA TRANSMISSION

MAY 19, 2022 | 8 MEMBERS



SunZia Transmission, LLC
320 Osuna Road NE, Suite #H1
Albuquerque, New Mexico 87107
(505) 559-4200 SunZia.net

Dear Honorable Judges:

At 3:00 PM, Thursday, May 19, 2022, the Texico FFA Agricultural Issues Team virtually presented to the SunZia Southwest Transmission Project team. The presentation and questions thereafter took about 45 minutes. The presentation was well prepared, and the student's subject matter knowledge was displayed throughout the meeting.

The SunZia team has a thorough understanding of the renewable energy industry and did not hold back while asking tough questions. Each student was knowledgeable, and it was evident they have all prepared to play their role to the best of their abilities.

Our team routinely works with private landowners, businesses, and government entities. The students did a great job presenting the complexity of project development within New Mexico by showcasing the different perspectives and concerns.

The Texico FFA team's topic is very relevant within agriculture and across multiple other industries. Renewable Energy will continue to expand in New Mexico and across the United States. We applaud the team's efforts in putting together their presentation.

We look forward to seeing this team succeed and wish them the best of luck in their endeavors.

Sincerely,

Delanie Crist

Delanie Crist
Administrative Director

"The presentation was well prepared, and the student's subject matter knowledge was displayed throughout the meeting."

- Delanie Crist



TEXICO-FARWELL ROTARY

MAY 18, 2022 | 23 MEMBERS



"Our members were engaged in the presentation and asked over 30 questions. All of us were impressed at the research and quick thinking displayed by the FFA'ers."

- Joel Barrett

The Texico-Farwell Rotary Club

Serving the local communities since 1961



Dear Honorable Judges:

On May 18, 2022, the Texico FFA Agricultural Issues Team presented to the Texico-Farwell Rotary Club at 12:00 pm at Annie & Martha's Artisan Bakery in Farwell, Texas. We had 19 members and several guests attend the presentation.

We really enjoyed the presentation on wind energy turbine siting concerns. Our members were engaged in the presentation and asked over 30 questions.

All of us were impressed at the research and quick thinking displayed by the FFA'ers. They obviously have spent a lot of time researching their subjects and spoke well in front of a mixed group with extensive knowledge of wind energy, land owner rights, and business management.

In the past we have had speakers from all of the groups represented. The local military base, Clovis city leaders, Southwest Cheese, and a wind developer. We have a member that is on the Board of directors for an energy cooperative. Many of the members have wind generators on their properties, or have been approached by wind generation companies in the past.

We know that it can be disconcerting to give a speech in front of business leaders that have a depth of knowledge of the subject matter and are eager to fire questions. We were pleasantly surprised at how well they handled questions that industry insiders would struggle with.

After today's presentation, we are eager to see what next year's Ag Advocacy presentation will be.

Joel Barrett
Joel Barrett
President

DAIRY FARMERS OF AMERICA

MAY 25, 2022 | 5 MEMBERS

THIS MARK MATTERS.  Dairy Farmers of America

May 25, 2022

Dear Honorable Judges

We enjoyed the Agricultural Issues presentation by Texico FFA on Wind Energy Siting on May 25, 2022 09:00 am mst. The FFA members did a good job presenting all sides of wind turbine siting. They addressed private property rights, community concerns and airspace conflicts with military installations. The team provided insightful responses to our questions in a professional organized manner.

We wish them the best of luck in their competition.

DFA is a proud supporter of FFA.

Sincerely,

Kay Vannatta
Kay Vannatta

Director, Human Resources

Dairy Farmers of America

"The FFA members did a good job presenting all sides of wind turbine siting."

- Kay Vannatta



AG NM STAFF MEETING

MAY 23, 2022 | 12 MEMBERS



May 25, 2022

RE: Texico FFA – Wind Energy Presentation

Dear Honorable Judges,

Ag New Mexico, Farm Credit Services was fortunate enough to have the opportunity to listen to the Agricultural Issues presentation on Wind Energy by Texico FFA. Their presentation was on Monday, May 23rd at 9:00 AM in our Clovis, NM office.

The six members did an excellent job presenting all sides of a wind turbine siting: including private property rights, community and residential concerns, airspace conflicts with military installations and more. They were well informed and prepared and took numerous questions from about 15 Ag New Mexico staff members.

We wish this wonderful group of young FFA participants the best of luck in their upcoming competition.

Sincerely,

Shannon Berry
Asst. Chief Lending Officer

"The six members did an excellent job of presenting all sides of a wind turbine siting." They were well informed and prepared ..."
- Shannon Berry



SENIOR OLYMPICS BOARD

MAY 23, 2022 | 6 MEMBERS



"The depth of research, the breadth of issues covered on wind energy development, and poise demonstrated in response to a wide variety of questions was outstanding."

- Donna G. Labatt

Donna G Labatt, Maj, USAF (Retired)
2216 Fairway Terrace
Clovis, NM 88101
24 May 2022

Dear Honorable Judges:

Members of the Clovis Chapter of the 50+ Senior Olympics were very impressed by the information on Wind Turbine Siting presented by the six-member Future Farmers of America Team of Texico, NM, at 2pm on Monday, 23 May 2022. The depth of research, the breadth of issues covered on wind energy development, and poise demonstrated in response to a wide variety of questions was outstanding. There was no hesitation in answering what we thought were some very tough questions, especially from audience members who are opposed to wind energy. Their responses were quick, insightful, and thought provoking. Clearly, they had put a lot of thought into their presentation. To a person, the Senior Olympians thoroughly enjoyed themselves, found the experience enlightening and would be happy to host them again.

We wish them the best of luck at the state level of competition and with all their future endeavors.

Regards,

Donna G. Labatt

Donna G Labatt
Member, 50+ Senior Olympics