

CITIZENS FOR RESPONSIBLE WIND POWER ASK FOR BETTER STUDIES

Mr. Tom Chapman
U.S. Fish and Wildlife Service Field Office
Elkins, West Virginia 26241

Dear Mr. Chapman:

I am writing with deep concern over the bird and bat kills at the Backbone Mountain wind facility in Tucker County, WV. As you are aware, these bird and bat kills were discovered because the Public Service Commission required -construction mortality studies as a condition of the project permit and studies were carried out in 2003.

In light of the results of the 2003 studies made public so far, it is majorly regrettable that studies were not required and performed BEFORE the facility was constructed. At this point, we must conclude that this was a bad decision in which we all shared and with which we must now all live. We can, however, take advantage of every opportunity to learn from it.

Without doubt, I think it can be logically concluded that the 2003 studies have been informative and that they make it very clear that one year's worth of data is wholly inadequate to understand the extent of avian mortalities going on at Backbone. In fact, we have been advised that it will indeed take at least five years worth of data at this wind power site to come to sound scientific conclusions on the death rates of birds and bats. Accordingly, we are dismayed to learn that no more studies of bird mortality will be done at this site at all, and that the bat study planned by Bat Conservation International will not begin before late July — after the critical maternity season for bats has past.

As you are well aware, all of the bird kills caused by the wind power facility are in violation of the Migratory Bird Treaty Act, 16U.S.C. § 703. Moreover, although no endangered or threatened bats have yet been identified among the recovered bat carcasses, the analysis was far from conclusive and it may only be a matter of time before a federally-endangered Indiana bat or Virginia Big-Eared bat – both of which reside in the region – is killed by these wind turbines. Given the risks and the speed with which the industry is developing in the Appalachian region, it is imperative that USFWS, the PSC, and the industry obtain as much and as accurate information as possible from the Backbone facility before additional facilities are built in the same region.

As you are aware, the 2003 mortality studies were done by Dr. Paul Kerlinger who works for Florida Power and Light, the owner of the Backbone Project. Dr. Kerlinger has issued statements asserting that the 2003 studies were overseen by a scientific review committee which commented on and approved the protocols for the studies, and did the same for the analysis and conclusions. The Fish and Wildlife Service is a member of this committee and as such has responsibility for ensuring the validity of the studies.

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Further, the PSC stated in the Backbone permit that the scientific review committee can request that another year of avian mortality studies be : “If at the end of the one year period the Windpower Developer’s Avian consultant and the Technical Committee agree that additional monitoring is justified the Windpower Developer agrees that it will undertake additional monitoring and actions in accordance with such recommendations” (Dec.15, 2000). In addition the staff of the PSC recommended that two years of post-construction avian mortality studies be done at this site.

As referenced above, we are extremely concerned about how things have progressed with these 2003 studies (including both the results and the role/responsibilities of the Technical Committee) and are currently exploring our legal, moral, and ethical options in this regard. At the least, and at this time, request that you immediately request further studies at this site as you are entitled to do under the PSC permit and work with the rest of the Technical Committee* and the PSC to see that Florida Power and Light carries out further studies. This information is desperately needed if we are to properly site wind farms in this region of the country. Without such information we will have huge numbers of bird and bat mortalities at wind farms in the Appalachians.

Sincerely,

Linda Cooper

President, Citizens for Responsible

Wind Power

Star City, WV

*You might also want to clarify the role and validity of this committee since both public and scientific concerns are raising doubts about both.

Editor’s Note: This is a copy of a letter the Citizens for Responsible Wind Power recently sent to the United States Fish and Wildlife Service.