

American Corn Growers Foundation

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Attention: Wind Energy Guidelines

Division of Fisheries and Habitat Conservation
U.S. Fish and Wildlife Service
4401 North Fairfax Drive, Mail Stop 4107
Arlington, VA 22203-1610.

The following comments are filed in strong opposition to the USFWS proposed **Land-Based Wind Energy Guidelines and Eagle Guidance**. Those guidelines are extremely onerous, unreasonable, unworkable and unnecessary. The guidelines cannot be scientifically justified. They amount to burdensome, over-regulation and will result in dramatic pre and post-construction studies, adding tremendous cost and lengthy delays to wind energy projects of all sizes. Such added costs will also be deal killers for small turbine and community wind projects at the very time when President Obama and Congress have called for aggressive steps toward United States energy independence and expanded investment in renewable energy, including wind energy, for the purpose of re-industrializing the U.S. manufacturing infrastructure.

Major economic concerns according to a survey of American Wind Energy Association members indicate that the policies will jeopardize: more than 34,000 megawatts of wind power projects; more than 27,000 jobs; \$103 million in potential landowner revenue; and \$68 billion in investment.

The policies and guidance are not based on sound science: The wind energy industry's impacts on wildlife are minor, especially when compared to other human activities and other forms of energy; The National Academy of Sciences (NAS) and even the U.S. Fish and Wildlife Service (FWS) itself have acknowledged that wind turbines represent a minor, small fraction of bird mortality resulting from human causes. Vastly larger numbers of birds are killed every year by house cats, automobile windshields and urban buildings. Very few bird deaths result from wind energy but these policies will be job killers at the very time that the U.S. economy is in desperate need of wind energy-stimulated new jobs and growth.

A much better solution already exists: For nearly three years the wind energy industry actively participated on the **Federal Advisory Committee (FAC)**, an entity created by the Department of Interior specifically for the purpose of advising the Secretary on wind energy guidelines. **The FAC specifically:** included representatives from state wildlife agencies and wildlife conservation organizations, plus others; only relied on peer-reviewed, sound science; submitted these broadly-agreed upon recommendations to Secretary Salazar in March 2010, signed by all Committee members, including all representatives from industry, states, and environmental NGOs. Unfortunately the FWS inexplicably threw out the FAC's seriously and thoroughly debated, consensus-based recommendations without any credible rationale or explanation. The FWS did not provide any demonstrated conservation benefit from their revised approach.

The FWS guidelines, including the "eagle permit rule" are more restrictive and stringent than what exists for more vulnerable species under the Endangered Species Act (ESA). Permits would only be available for five years and most wind projects need financing for ten years or more. A five year permit limit makes financing difficult, perhaps impossible. The science clearly indicates that wind energy projects have minimal impact on eagles. The FWS guidance document fails to rely on sound science but will have a reliably negative economic impact on our U. S. sustainable, clean energy future.

For all the reasons mentioned herein Secretary Salazar should immediately reject the Fish and Wildlife Service Land-Based Wind Energy Guidance and adopt the Federal Advisory Committee recommendations.

Sincerely,

Gale Lush, Chairman
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