



# NEW YORK STATE ORNITHOLOGICAL ASSOCIATION, INC.

*for the birds and birders of New York State since 1948*

Ms. Sally Jewell, Secretary  
Department of the Interior  
1849 C Street, N.W.  
Washington, DC 20240

February 10, 2014

Dear Secretary Jewell:

I am writing on behalf of our organization regarding the recent decision by the Department of the Interior to grant 30-year permits to allow wind power developers to take Bald and Golden Eagles. The New York State Ornithological Assoc. is the umbrella group for bird clubs and numerous Audubon Chapters in the state, representing 42 member organizations and over 600 individual members.

We, along with our member organizations, have long been involved with wind power development in the state. In our formal position statement, we express support for wind power as an alternative to fossil fuels, but stress that projects must fully consider and address threats to birds before approval. In particular, impacts to state or federally listed threatened or endangered species or species of special conservation concern should be taken into account in reviewing projects.

Unfortunately, the record of environmental reviews of wind projects is severely lacking. Project developers often avoid even the minimal recommendations of the US Fish and Wildlife Service and of state environmental agencies. In New York, responsibility for review of projects typically falls to local municipalities, which lack the interest or expertise in carrying out a rigorous and thorough review. These often inadequate studies will be the basis for decisions on federal take permits. It is well-recognized that neither USFWS nor the Department of the Interior have sufficient funding or staffing to properly evaluate risks to eagles and other birds from wind projects. Likewise, the resources do not exist to adequately monitor projects for bird mortality for the years that these take permits will be in effect.

Additionally, it is imperative that the basic statutes protecting birds, including the Migratory Bird Treaty Act, and the Bald and Golden Eagle Protection Act, be fully utilized during operation of wind power facilities. Pre-emptively allowing take of Bald and Golden Eagles is contrary to the letter and spirit of these important statutes, and constitute an abandonment of your agency's responsibilities to protect wildlife.

Both Bald and Golden Eagles are listed as endangered species in New York State, and efforts by state agencies and bird conservation organizations to restore and protect these species will be

undermined by these multi-decade take permits that will enable wind power developers to site projects in areas that pose unacceptable risks to these iconic birds.

We believe that the Department of the Interior has made a serious and dangerous error in its decision to grant long-term eagle take permits to wind projects. We urge you to reconsider and review this action before irreversible damage is done to these birds that are a large part of our national wildlife heritage.

Sincerely,

Andrew Mason, Conservation Chair