



*Shaping the future for birds*

Chuck Caisley  
KCP&L  
1200 Main St.  
P.O. Box 418679  
Kansas City, MO 64141-9679

Dear Mr. Caisley:

I am writing to express the American Bird Conservancy's (ABC's) serious concerns about Element Power's plan to build the state of Missouri's largest wind energy facility in close proximity to the Squaw Creek National Wildlife Refuge and surrounding habitats, an ABC-designated Globally Important Bird Conservation Area.

ABC is a 501(c) (3) not-for-profit membership organization whose mission is to conserve native birds and their habitats throughout the Americas. ABC acts by safeguarding the rarest species, conserving and restoring habitats, and reducing threats, while building capacity in the bird conservation movement.

ABC supports the development of clean, renewable sources of energy such as wind power, but also believes that it must be done responsibly and with minimal impact on our public trust resources, including native species of birds and bats, and particularly threatened, endangered and other protected species.

ABC supports Bird Smart Wind Energy, which is described in some detail on our web site ([http://www.abcbirds.org/abcprograms/policy/collisions/wind\\_developments.html](http://www.abcbirds.org/abcprograms/policy/collisions/wind_developments.html)). In the case of wind energy, careful wind generation siting is crucial in preventing the unintended impacts to America's native bird species, and ABC is concerned that the proposed site for this project poses an unacceptably high potential risk to state and federally-protected wildlife species. This risk can be substantial, depending on the circumstances (<http://onlinelibrary.wiley.com/doi/10.1002/wsb.260/abstract>).

We note that the company has not yet decided how many and what size of turbines will be used to generate the 200 MW of projected power output. Please consider that there are a number of federally-protected bird species known to live in or move through this area, including large flocks of migratory waterfowl, Bald Eagles and endangered or threatened species, such as the Piping Plover, that could be threatened by this development.

According to the American Wind Wildlife Institute (AWWI), "Generating electricity from wind can wound or kill eagles when they collide with turbine blades, and can also disturb eagles during construction and operation of the wind energy facility resulting in nest abandonment or displacement from breeding territories." Bald Eagles migrate into the Squaw Creek Refuge and surrounding areas. By late Fall and early Winter, the Refuge's web site says that as many as 300



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immature and adult Bald Eagles and an occasional Golden Eagle can be seen at the migration's peak. A 2001 survey recorded a record 476 Bald Eagles in the area. As you know, eagles are protected by the Bald and Golden Eagle Protection Act (BGEPA) and cannot be killed without an incidental take permit issued by the U.S. Fish and Wildlife Service (FWS).

Vast numbers of migratory waterfowl, including Trumpeter Swans, Tundra Swans, over a million Snow Geese, and a wide variety of duck species, also visit this area, which has been designated as one of America's top 500 most important Bird Conservation Areas by ABC in 2001. All of these species are protected under the Migratory Bird Treaty Act (MBTA).

There are threatened and endangered species in the area as well, including the Piping Plover and Indiana bat, neither of which can be taken without incidental take permits authorized by FWS. The presence of listed species will, in our opinion, necessitate an Environmental Impact Statement (EIS) and Section 7 consultation with the FWS to comply with the Endangered Species Act (ESA). State Species of Concern in Missouri, including American Bitterns and Peregrine Falcons, also inhabit the area.

ABC recently stopped a wind energy development in Ohio (Camp Perry) and may have stopped another as well (Icebreaker) based on siting concerns and the risks they posed to federally-protected birds. This development has the potential to kill federally-protected species. As a bird conservation organization, our primary concern is ensuring a future for native bird populations, particularly threatened, endangered and other federally-protected species. Poorly-sited wind energy development is just another human-caused factor leading to bird fatalities, one that can be avoided with proper planning.

We respectfully urge Kansas City Power & Light to take a very hard and objective look at the proposed Mill Creek wind energy development and its agreement with Element Power. This particular project appears to be very poorly sited from the perspective of bird and bat conservation and we would urge that alternative sites be considered. This is not in line with the long-term interests of the people of Missouri, especially those who enjoy outdoor recreation and wildlife. Should you have any questions regarding our request, please do not hesitate to contact me.

Sincerely,

Michael Hutchins, Ph.D.  
National Coordinator  
Bird Smart Wind Energy Campaign