AMERICAN BIRD CONSERVANCY

Bringing back the birds

GOLDEN EAGLE AUDUBON SOCIETY

SOUTHWESTERN IDAHO'S CHAPTER OF THE NATIONAL AUDUBON SOCIETY

Robyn Thorson
Regional Director, Pacific Region
U.S. Fish & Wildlife Service
911 NE 11th Ave.
Portland, Oregon 97232

April 26, 2016

Dear Regional Director Thorson:

Cat Creek Energy LLC proposes to build the Cat Creek Energy Generation Facility along Anderson Ranch Reservoir near the south fork of the Boise River in the Boise National Forest. This proposed development would place a 400 MW pump-store hydroelectric facility, a 110 MW wind facility consisting of 39 wind turbines, a 40 MW photovoltaic solar facility, an 80-foot high earthen dam, a 38,000 acre impoundment as an upper reservoir with two 200 MW vertical generators, along with associated roads and infrastructure, including approximately 8 miles of new electrical transmission lines. American Bird Conservancy (ABC) and the Golden Eagle Audubon Society (GEAS) have serious concerns about the siting of this project, particularly the risks it poses to federally protected birds and bats. This risk can be substantial; wind turbines alone kill hundreds of thousands of birds and bats annually in the U.S. (Smallwood 2013, Loss et al. 2013, Ericson 2014). When the impacts of related infrastructure, including collisions and electrocutions at associated power lines, is included, the nationwide toll on birds is in the millions (Degregorio et al. 2014, Loss et al. 2015). Solar energy facilities can also be deadly to birds, as evidenced by recent studies in California (Kagan 2014).

ABC and the GEAS support the development of clean, renewable sources of energy such as wind and solar power, but also believe that it must be done responsibly, sited appropriately, and designed to have minimal impact on our public trust resources, including native species of birds and bats, and particularly threatened, endangered and other protected species.

ABC developed the concept of Bird Smart Wind Energy, which is described in some detail on our web site (https://abcbirds.org/program/wind-energy/bird-smart-strategies/). 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 and GEAS are concerned that the proposed site for this project poses an unacceptably high risk to state and federally protected wildlife species.

In a letter dated 1 February 2016, to the Elmore County Land Use and Building Department, the Idaho Department of Fish and Game expressed serious concerns about the impact of this

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proposed project on the region's wildlife resources. In particular, they cite the possible impacts of this project on Greater Sage Grouse. At least two active leks occur within a half mile of the proposed project, and would likely be eliminated. Sage Grouse do not like tall structures, such as wind turbines and power lines and towers, and displacement, avoidance and reduced nesting success are well-documented (Schroeder 2010, Lebeau et al. 2014, Kirol et al. 2015, Mathewson 2015, Shirk et al. 2015, Winder et al. 2015).

Numerous raptor species have been observed in the project area, including species of state and national concern, including Bald and Golden Eagles and Peregrine Falcons. It is likely, however, that the Cat Creek area lies within the migratory route of many other raptor species, all of which are protected by the Migratory Bird Treaty Act. Both Bald and Golden Eagle nests are well documented adjacent to the proposed project area. Before the project is even considered for construction, we would hope that the developer would apply for an incidental take permit under the Bald and Golden Eagle Protection Act. We note that no surveys have been conducted for bats, and after white nose syndrome, wind turbines have been identified as the next major source of bat mortality (Dini 2016).

The Idaho Fish and Game letter does not mention songbirds found in the area, but it is also reportedly in the migratory path of many species. Surveys conducted by the Intermountain Bird Observatory at Lucky Peak (Kaltenecker et al. 2014), only about 40 miles west of Anderson Ranch Reservoir, as well as E-bird entries for the Little Camas Reservoir area reveal the presence of many species of concern. These include the Red-naped Sapsucker, Olive-sided Flycatcher, Willow Flycatcher, Warbling Vireo, Bewick's Wren, MacGillivray's Warbler, Yellow-breasted Chat, Brewer's Sparrow, Sandhill Crane, Long-billed Curlew, American Pipit, and American White Pelican. Flammulated owls were also abundant in the Lucky Peak area.

At the very least, we hope that this proposed project is on the FWS' radar and that all federal and state guidelines regarding wind and solar development and wildlife will be followed to the letter including appropriate pre-construction surveys for bird and bat occurrence. We hope that the developer would also agree to third party, independent monitoring of post-construction bird and bat mortality should they be granted the permits to build, and that all of this data should be transparent and open to the public. These are public trust resources being taken and the public has a right to know. The project may have a federal nexus as the Bureau of Reclamation has noted its jurisdiction over the proposed hydroelectric facility and power lines. If that is the case, then there may be a requirement for a NEPA process for the entire project, including the wind and solar facilities.

Sincerely,

Michael Hutchins, Ph.D.
Director, Bird Smart Wind Energy Campaign, ABC

Liz Urban
President-elect, GEAS

Cc: B. Kibler, B. Otter, T. Boudreau, D. Mackey, A. Christy, J. Ford, B. Millsap

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