



Bringing back the birds

The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

March 31, 2016

Dear Governor Cuomo:

The American Bird Conservancy (ABC) is writing to express its serious concern about Apex Clean Energy's plans to build the Lighthouse Wind Energy Project between the towns of Somerset, Niagara County and Yates, Orleans County, New York. Up to 71 570-foot tall turbines are planned for an area along the south shore of Lake Ontario, extending 4.5 miles from the Lake along a 12-mile stretch. ABC has filed formal comments with the New York Public Service Commission (see attached).

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

ABC believes that it is possible to be concerned about climate change *and* still want wind and solar energy development done right. ABC supports the development of clean, renewable sources of energy such as wind power to address anthropogenic climate change, 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. When it comes to wind energy, proper siting is everything.

ABC is a proponent 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 is concerned that the proposed site for this project poses an unacceptably high risk to protected wildlife species.

As you can see from our letter to Kathleen Burgess, ABC does not consider Lighthouse's proposed plans to be an example of proper siting, and recently listed this project as "one of the ten worst-sited wind energy projects for birds" in the United States (see attached). This, in turn, will place considerable public scrutiny on the review process.

We are particularly concerned that Apex Clean Energy has hired paid consultants to replicate studies already conducted by The Nature Conservancy and others over the past few years. Industry-paid consultants are expected to produce favorable results, since their next job may be influenced by their ability to obtain the permits and approval sought by their



Shaping the future for birds

employers. ABC has seen many examples of weak studies or those that purposely downplayed the potential impacts on wildlife (<https://abcbirds.org/how-green-is-the-wind-industry/>). We believe such studies should be conducted by independent, third-party experts and reported directly to state and federal regulators, to remove any possible conflict of interest.

The U.S. Fish and Wildlife Service has also expressed considerable concern about the siting of this project. Even prior to conducting their own studies, Apex Clean Energy claimed their project will have little or no impact on birds, even though the south shore of Lake Ontario is known to be a major migratory corridor for millions of birds each spring and fall. Their representative's recent comment to the press that, "It is a common misconception presented by ABC and others that the mere presence of birds equates to risk" indicates to us that they do not understand the concept of risk. Indeed, the mere presence of large numbers of birds in the vicinity of the turbines and associated infrastructure twice a year directly affects the risk of avian mortality.

We sincerely hope that the State of New York will take these considerable risks into consideration as it plans for this and future wind energy projects. There are thousands of birders in New York State and tens of millions across the U.S. that generate billions of dollars of income to the travel and recreational industries. In addition, our native birds and bats perform critical ecosystem services, including pollination, control of agricultural pests and seed dispersal and are important to our future.

Poorly sited wind energy facilities and their associated power lines and towers are at minimum killing hundreds of thousands of birds and bats annually, including threatened and endangered species. Due to this and other human-caused factors, such as feral cats, building and vehicle collisions and pesticides, the cumulative impact has been great. As a result, even some of our most common avian species' populations are in precipitous decline. It is therefore critical that alternative energy is done right.

Sincerely,

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