

## Wind farms face raptor blowback

### Habitat concerns increase siting scrutiny

By **KARL PUCKETT** , Great Falls Tribune Staff Writer

With its strong westerly winds, Kevin Rim, a prominent series of sandstone cliffs 20 miles northwest of Shelby, is ideal habitat for wind farms, and NaturEner USA is planning to erect 126 turbines on private lands there by the end of the year.

The rim also is ideal habitat for raptors, earning a designation as an Important Bird Area. Up to 10 species, including federally protected golden eagles and the highest density of Ferruginous hawks in Montana, nest in the rocky outcroppings.

Janet Ellis, program director with Montana Audubon, worries the close proximity of the turbines and nesting areas will lead to collisions or the raptors leaving the area or both. Many prairie birds are on the decline because of habitat loss, she said.

“They don’t tolerate disruptions at all, so they have to be in really isolated places,” she said. “That’s why, in particular, we’re concerned about putting a wind farm on top of this cliff face.”

But Greg Copeland, NaturEner’s director of development, said the company is voluntarily taking steps to mitigate the wind farm’s impact. The closest a turbine would be to the rim is a quarter of a mile. The distance the poles will be placed along the rim depends on the locations of known nests, he said.

“The locations of the turbines were done specifically to pull them back away from the rim and open up migratory passage ways,” he said.

With rapid expansion of the wind energy industry, the impact of wind farms on wildlife and the proper sites for turbines is coming under increasing scrutiny.

The U.S. Department of Interior, through the U.S. Fish and Wildlife Service, is proposing voluntary site guidelines for wind farms.

In proposing the guidelines, the agency said it’s committed to facilitating clean energy produced at wind farms to protect the environment — but that wind farms need to be located in the right environment.

A national bird conservation group is petitioning Fish and Wildlife for a mandatory permitting system.

#### Meeting sought

Earlier this week, NatureEner announced plans to begin construction of the 186-megawatt Rim Rock wind farm after securing a \$320 million construction loan from Morgan Stanley.



*The federally protected golden eagle is among 10 species of raptors that inhabit Montana’s Kevin Rim, the site of a planned 126-turbine wind farm.*  
THINKSTOCK PHOTO



*The planned Rim Rock wind farm will rise above the raptor-rich Kevin Rim northwest of Shelby.*  
PHOTO COURTESY OF K. NEWLON

San Diego Gas & Electric Co. also is investing \$285 million to obtain green energy credits from the state of California.

Copeland says NaturEner is consulting with the U.S. Fish and Wildlife Service as it works out the final configuration of the poles but Montana Audubon still has concerns.

The group has reached out to Audubon of California and San Diego Audubon for help in requesting a meeting with the San Diego utility to discuss the Rim Rock project, Ellis said. The groups are seeking a meeting with the hope that the utility, as an investor, can influence NaturEner in where it puts the turbines.

Audubon argues that wind turbines should be located at least a half mile from raptor nests, but there are no regulations requiring it because wind farms sited on private land are not regulated in Montana.

“You basically have to rely on good faith and people wanting to do the right thing for wildlife,” Ellis said. “That works most of the time, but not all of the time.”

At the 2009 Legislature, Montana Audubon backed a bill that would have set up a committee to craft a voluntary wind farm site process for Montana but it failed.

Wind farm guidelines adopted in other states recommend avoiding placing turbines near landscapes that attract high numbers of foraging or nesting raptors, and Rim Rock is such an area, Ellis said.

### **FWS busy consulting**

Brent Esmoil, deputy field supervisor for the U.S. Fish and Wildlife Service, which enforces federal bird protection laws, said agency officials will be meeting soon with NaturEner to discuss an avian protection plan for Rim Rock.

The discussion will include recommendations on distances between turbines and nesting areas, he said.

“The Kevin Rim is pretty important to raptors and so we want to do what we can to minimize impacts while the project goes forward,” Esmoil said.

Ideally, wind farms are located on disturbed agricultural land, where they are less likely to threaten wildlife, he said. “But lots of Montana has raptors moving through,” he said.

NaturEner’s Copeland said the company values the recommendations from the U.S. Fish and Wildlife Service.

“The whole idea is you sit down and have an open and candid discussion,” he said.

Wind energy production in the state has increased from 1 megawatt to 385 megawatts since 2005. Wind farms totaling 5,000 megawatts of power are under various stages of development in the state, according to the state’s energy promotion and development division of the Department of Commerce.

With just two employees to do consulting with the developers statewide, the U.S. Fish and Wildlife Service is hardpressed to keep up, Esmoil said. They are currently consulting on about a dozen projects.

“We’re pretty busy,” he said.

### **Rim has many hawks**

Kevin Rim overlooks grasslands in Glacier and Toole counties.

Audubon lists it as an Important Bird Area because it supports 10 species of raptors that either nest on the cliff faces or the ground beneath them. Between 1998 and 2005, 385 nests were documented, Ellis said.

“It’s a big raptor area,” she said.

IBAs are administered internationally by Bird Life International, a bird conservation organization, and denote areas of essential habitat for birds. In the United States, the IBA program is maintained by the National Audubon Society. Montana Audubon is the designated manager of the IBA program here.

The Kevin Rim IBA has the highest density of nesting Ferruginous hawks in Montana. The state lists the raptor as a species of concern because of declining numbers. There have been up to 24 Ferruginous hawk nests documented in the rim in a year.

Up to four golden eagle nests also have been documents in a single year, Ellis said.

The Bureau of Land Management manages 4,553 acres in the Kevin Rim east of the wind farm that is designated an Area of Critical Environmental Concern. One reason for the designation is it provides essential breeding and nesting area for raptors, said Craig Miller, a BLM wildlife biologist in Havre.

Most raptors, including those using the Kevin Rim, are susceptible to disturbance especially during breeding and nesting periods, he said.

In 2008, NaturEner consulted with representatives with the BLM, Montana Fish, Wildlife and Parks and the U.S. Fish and Wildlife Service, Miller said. NaturEner officials asked the BLM about buffers between the wind farm and sensitive BLM lands. The company moved some of the turbines at the request of the BLM, he said.

“With the turbines, there is concern with bird strikes and impacting bats as well,” Miller said.

### **Group seeks new rules**

Last month, the American Bird Conservancy petitioned the U.S. Department of the Interior to pass mandatory permitting regulations for wind farms nationwide.

In its 100-page petition, ABC cited poorly sited projects, lack of regulations and the deaths of as many as 440,000 birds annually as a result of collisions with turbines.

It says a mandatory permitting system would give wind developers legal certainty they are in compliance with the Migratory Bird Treaty Act, therefore avoiding criminal or civil penalties should deaths of protected species occur.

Valerie Fellows, a spokesperson for the U.S. Fish and Wildlife Service, said the agency still is reviewing the petition and hasn’t yet taken any action on it.

Meanwhile, the agency is studying voluntary guidelines for wind farms that are expected to be finalized early this year, she said. In proposing the guidelines, the Interior Department cited rapid expansion of wind energy and the need to avoid siting projects in sensitive habitats for birds and bats.

Kelly Fuller, wind campaign coordinator for ABC, said the group filed the petition for mandatory permitting because out of concern the voluntary guidelines won't protect birds.

### **Guidelines opposed**

NaturEner's Copeland said the company has studied the movements of raptors and waterfowl in the Kevin Rim area and is positioning the turbines at Rim Rock in a way to create corridors so birds can safely pass.

Some turbines would be located a mile to a quarter mile from the rim, depending on the location of raptor nests, Copeland said. He says the company has voluntarily removed turbines that were in closer proximity to known nests as part of its siting process.

The company is planning post-construction monitoring of birds and bats, he said.

One of the unique characteristics of the site is that winds come from the west and southwest. That creates a natural downdraft from the rim up to several hundred meters creating a natural barrier between the rim and wind farm, he said.

The company supports the voluntary guidelines being proposed but not mandatory rules, Copeland said.

Wind farms are located on many different kinds of terrain, Copeland said. That makes it difficult to establish mandatory, black-and-white rules for each situation.

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A Ferruginous hawk with its young at a nest along the Kevin Rim. PHOTOS COURTESY OF KRISTI DUBOIS



Kevin Rim is a prominent series of sandstone cliffs and outcrops that overlook grasslands and sagebrush, making it ideal for hawks to nest on cliff faces and the ground, according to Montana Audubon.



Ferruginous hawks nest at the Kevin Rim, where 10 species of raptors have been documented. NaturEner is planning a wind farm in the area, which concerns Montana Audubon.