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Mr. Bruce Yeager
NEPA Program Manager
Tennessee Valley Authority
400 EW. Summit Hill Dr., WT 11D
Knoxville, TN 37902-1499

November 11, 2010

Dear Mr. Yeager:

Re: Proposed Caney River Wind Energy Project Comments on Environmental Assessment

The comment period for the **Caney River Wind Energy Project** Environmental Assessment set for November 11, 2011 precedes the scheduled formal announcement of the **Flint Hills Legacy Conservation Area** project by Secretary of the U.S. Department of The Interior Ken Salazar in Wichita by two days – currently scheduled on November 13, 2010. The two events clearly underscore the fact that the Caney River Wind Energy Project is poised to undermine one of the nation’s most significant “landscape-level conservation projects.” The Caney River Wind Energy Project is sited entirely within the Flint Hills Legacy Conservation Area and located on native Tallgrass Prairie grasslands specifically identified for conservation.

A series of six public hearings on the Flint Hills Legacy Conservation Area have been conducted by the U.S. Fish and Wildlife Service since the project was announced in the fall of 2009. From the beginning it was clearly announced that this initiative was designed “to help maintain the integrity of Tallgrass Prairie wildlife habitat” in the Flint Hills ecoregion. As articulated, native prairie landscapes are being (and continue to be) lost to commercial development and other activities that fragment important wildlife habitats. The identified area includes parts of 14 Kansas counties: Butler, Chase, Chautauqua, Cowley, Geary, Greenwood, Elk, Lyon, Marion, Marshall, Morris, Pottawatomie, Riley and Wabaunsee.

The only massive industrial development affecting Flint Hills landscapes in recent years has been the Elk River Wind Power Project. It adversely impacted approximately 8,000 acres of native prairie in an area that was previously pristine, and now the Caney River Wind Energy Project directly threatens another 13,618 acres of Flint Hills/Tallgrass Prairie Ecoregion natural prairie and pastoral landscape, and to a significant extent further fragments the last significant Tallgrass Prairie landscape remaining in North America.

CITIZENS COMMITTED TO CONSERVATION

Audubon of Kansas is a nonprofit membership organization devoted to wildlife and prairie conservation in Kansas and America's heartland. Audubon chapters in Kansas include: Burroughs A.S. - Kansas City; Jayhawk A. S. - Lawrence; Leavenworth A. S.; Northern Flint Hills A. S. - Manhattan; Smoky Hills A. S. - Salina; Sperry-Galligar A. S. - Pittsburg; Southeast Kansas A. S. - Parsons; Topeka A. S.; and Wichita A. S.

In the presence of the Elk River Project, the prospect of development of the Caney River Wind Energy Project on the site identified in this Environmental Assessment, and the prospect that the developers proposing the “Alternative Project Area” included in Figure 3.1 Land Cover Map will find an entity willing to purchase power without any regard for ecological considerations, any two or all three of these projects will have an unprecedented cumulative native impact on conservation of America’s remaining Tallgrass prairie landscape—and remove tens of thousands of acres from the type of conservation proposed by the U.S. Fish and Wildlife Service.

Less than 4 percent of the once-vast Tallgrass Prairie remains, and most of that lies within the Flint Hills/Tallgrass Prairie Ecoregion. Degrading the natural integrity of the remaining prairie landscapes and/or destroying tens of thousands of acres of what remains in Kansas or anywhere in North America—when acceptable alternative sites for wind energy projects are readily available—is no more justifiable than removing or degrading Rain Forests (possibly to grow soybeans for biofuels) on other continents. Wind energy and biofuels are generally characterized as “renewable” sources of energy, but our remaining prairie landscapes and rain forests are both “irreplaceable” and “renewable.” These natural ecosystems continue to renew life in many forms and provide for the sustainability of ecological resources.

As stated by the U.S. Fish and Wildlife Service in the **Land Protection Plan**, “More than 600 species of vascular plants occur within the project boundary....” The Flint Hills and associated prairies “support a wide variety of animal life. There are assemblages of amphibians and reptiles, fish, birds, mammals, and species of special concern in the project area.” Focusing only on a few of these, as the Caney River Wind Energy Project Environmental Assessment does, completely misses the continental significance of the Tallgrass Prairie ecosystem that is jeopardized by this project and others proposed for development in the Flint Hills/Tallgrass Prairie Ecoregion. As a point of illustration, we have no reason to believe that the project will specifically or significantly jeopardize the continued existence of the federally endangered American Burying Beetle. However, we do believe that the project will contribute to the further decline of, and diminish prospects for recovery of, several grassland bird species including the Greater Prairie-chicken. Keeping species from further declines and crashing into population declines resulting in later classification as threatened or endangered is a conservation strategy that we hope the Tennessee Valley Authority will embrace—and join the U.S. Fish and Wildlife Service, Audubon of Kansas and other stakeholders as we strive to keep prairie landscapes intact and improve them for wildlife in special need of conservation.

The fact that this project will result in severe fragmentation of the last expansive Tallgrass

Prairie landscape in North America, and substantially degrade and/or destroy Tallgrass Prairie ecological values and resources within the 13,618-acre project area, is a compelling reason why the Tennessee Valley Authority should withdraw involvement in the project—withdraw the power purchase agreement. However, if the Tennessee Valley Authority is unwilling to make that decision at this time, TVA should develop a complete and accurate Environmental Impact Statement as the facts dictate and the National Environmental Policy Act directs prior to continuing consideration of the project. This Environmental Assessment is wholly inadequate and in many ways inaccurate—even misleading. The environmental consequences of the project and issues that should have been identified demonstrate that the scope of environmental review is not adequately addressed or appropriate for evaluation in a mere “EA” (Environmental Assessment) of the form presented, but should be fully articulated with a comprehensive Environmental Impact Statement.

Historically there were tens of thousands of acres of prairies, prairie savannas, prairie “barrens” and prairie glades within TVA’s service area, especially in Kentucky and Tennessee. Early settlers arriving in Tennessee and Kentucky found large, open, grass-dominated, treeless areas that they called “barrens.” These prairie-like lands resembled the tallgrass prairie regions in the Great Plains and were dominated by native grasses such as Big Bluestem, Little Bluestem, Indian Grass, and Switchgrass. Native grasslands, or “barrens,” once covered as much as 3.7 million acres (5,780 square miles) in western Kentucky. That vast prairie is down to a few remnant tracts totaling less than 1,250 acres (2 square miles). Almost all evidence of this prairie heritage except tiny remnants have been lost.

The prairies and barrens that occur in Tennessee today are considered remnants of a very important ecosystem. These grasslands are a high priority for protection by state and federal agencies as designated natural areas. May Prairie in Coffee County, Roan Mountain in Carter County, Couchville Cedar Glades in Davidson County and Vesta Glades and Barrens in Wilson County are a few examples. Since 1989, the Tennessee Wildlife Resources Agency (TWRA) has been promoting the restoration of barrens or prairies through the planting of native grasses and forbs. Conservation of these ecological resources has been a priority of the Tennessee Department of Environment and Conservation.

It is ecologically unconscionable that the **Tennessee Valley Authority** -- a federally owned corporation in the United States created by congressional charter in May 1933—would now participate in, empower and finance the destruction of nearly 14,000 acres of prairie landscape in the Flint Hills/Tallgrass Prairie Ecoregion of Kansas in the 21st Century. The Tennessee Valley Authority has alternative opportunities to become a good corporate/governmental

citizen within the state of Kansas by selecting or independently developing wind energy project sites on already altered (currently cultivated) land—thereby avoiding destruction or severe fragmentation of native prairie landscapes and other fragile environmental resources (e.g. internationally important wetlands). There are estimated to be in excess of 8 million acres of cultivated landscapes in high wind potential areas of the state.

The historical range of the Greater Prairie-chicken even included western Kentucky and the northwestern edge of Tennessee. Although the states, along with the U.S. Fish and Wildlife Service through the agency's Partners Program have been involved in trying to restore some semblance of grassland habitat in these and other states east of Kansas, it is highly unlikely that any functioning Tallgrass Prairie habitat of 14,000 acres will ever be recreated anywhere east of the Mississippi River. Keeping the few surviving prairie landscapes intact, including the 13,618-acre prairie landscape within the Caney River Wind Energy Project area, is the only feasible option—and that is why the U.S. Fish and Wildlife Service, the National Park Service and other conservation entities (governmental and non-governmental) have focused resources on and made protection of the Flint Hills/Tallgrass Prairie Ecoregion a national priority.

It is immediately apparent that the EA presented ignored many of the most significant ecological values of the proposed project site and the detrimental ecological consequences of the project. The EA suggests (2-2) that, “The Caney River was reviewed on a desktop level to evaluate any potential environmental ‘fatal flaws,’ such as unique and specific ecosystems and regions. However, it is obvious that this was done with an eye to disregard the “unique and specific” ecosystem and region that is the Flint Hills/Tallgrass Prairie Ecoregion and the landscape scale context of the ecological resources involved. This fact couldn't be more apparent if the proposed construction of 111 wind turbine generators and associated facilities, including 33 miles of new or improved access and service roads and construction of various public infrastructure features including 56 miles of trenching for new electrical circuits and communication wires, an operation and maintenance facility and a project substation, were all being built on the north rim of the Grand Canyon, along the Blue Ridge Parkway or in the Florida Everglades.

In that context, not so long ago it was proposed that the Colorado River be dammed in the proximity of the Grand Canyon National Park, and the importance of restoring water flows in the Everglades was not addressed and the Kissimmee River was being extensively channelized. If construction of the Caney River Wind Energy Project proceeds on 13,618 acres, and the additional windpower development projects that are more likely to follow nearby in the Flint Hills/Tallgrass Prairie region, this scenario is not unlike the type of disregard for ecological,

cultural and visual resources of national importance that federal agencies pursued into the 1960s. Another hydroelectric dam in the Grand Canyon area would harness additional “renewable” energy, but the ecological destruction to one of this nation’s most precious natural landscapes makes that option unacceptable.

In terms of “unique and specific ecosystems and regions” that have captivated the interest and conservation focus of the public and agencies of government at many levels, there are few parallels to the entire Flint Hills/Tallgrass Prairie Ecoregion. As further evidence of this fact, please review the 20-page feature article entitled “**Splendor of the Grass** - The Prairie’s Grip is Unbroken in the Flint Hills of Kansas” devoted to the area in the April 2007 edition of National Geographic Magazine.

The **Caney River Wind Energy Project** Environmental Assessment attempts to discount the importance of this project area and all of the Flint Hills/Tallgrass Prairie Ecoregion south of Kansas Highway 400 by (1) essentially ignoring all of the information available in the 146-page U.S. Fish & Wildlife Service **Land Protection Plan** Flint Hills Legacy Conservation Area report, and previous reports and documents prepared by the National Park Service and the Kansas Geological and Biological Surveys, and (2) by simply stating (2-2) that the “site is outside of the Heart Of the Flint Hills,” and incorrectly suggesting that “stakeholders and the State of Kansas consider” that area “to be the most valued portion of the remaining native, intact tallgrass prairie for scenic and recreational services.” That is simply not the case. Most “stakeholders” consider the southern Flint Hills south of Highway 400 as equally important for ecological, scenic and recreational values.

Organizations of “stakeholders” that regard the southern Flint Hills as important for protection and conservation include Audubon of Kansas, Inc.; The Nature Conservancy; the Kansas Wildlife Federation; the Tallgrass Legacy Alliance; Protect the Flint Hills; Tallgrass Ranchers; the Flint Hills Tourism Coalition (representing 22 counties); Flint Hills Tallgrass Prairie Heritage Foundation; Ranchland Trust; Kansas Land Trust; Kansas Grazing Lands Coalition; Kansas Park Trust; Symphony in the Flint Hills, Inc.; Kansas Ornithological Society; Kansas Chapter of The Wildlife Society, Kansas Native Plant Society; Prairie Guards; and others working to establish the Flint Hills Natural Heritage Area (a National Park Service congressional designation), the Flint Hills Discovery Center, and the existing Pioneer Bluffs foundation. Agencies working to protect and/or enhance management of prairie resources in the southern Flint Hills include the U.S. Fish & Wildlife Service, the U.S.D.A. Natural Resources Conservation Service, the Kansas Department of Wildlife and Parks, and the Kansas Biological Survey. Conservation of the native prairies of the Flint Hills—including the

southern Flint Hills—is a priority focus for the conservation easements acquired through the Grassland Reserve Program and the Farm and Ranch Lands Protection Program both administered by and federally funded through the U.S.D.A. Natural Resources Conservation Service.

It is obvious that persons drafting the EA chose to ignore all of the evidence that supports—and clearly demonstrates—that the prairie resources and landscapes in the southern Flint Hills are equally important to those in the “Heart of the Flint Hills.” The designation of the “Heart of the Flint Hills” was a delineation made by a “subcommittee” under the auspices of the governor at the time that was largely political in an attempt to deal with a tsunami of proposed windpower projects that had the potential of inundating much of the central and northern Flint Hills. They were also faced with the unfortunate deli mina that one project proposal had already received county zoning approval south of Highway 400. State officials were new at the task of trying to save the state’s “signature landscape,” and made a commendable, but ecologically inadequate attempt to hold off destructive wind power development in a major portion of the continent’s remaining prairie. At that stage, an administrative roadblock of the Elk River Wind Project was perceived vulnerable to legal challenges (if halted by the State of Kansas), and it was allowed to proceed for other reasons that cannot be adequately articulated here. The “Heart of the Flint Hills” designation was being debated to extend to or nearly to the Kansas/Oklahoma state line. However, if the Elk River Wind Project were developed within the designated area, it would obviously be perceived as detrimental and as an unfortunate precedent violating the intent of the Flint Hills area delineated for PROTECTION. There is no evidence to suggest that anybody in state government involved in the delineation wanted to sacrifice the southern Flint Hills, or believed that the ecological values in that area were less important. However, with political and other factors in play at that time, a cut was made without consultation with other stakeholders and without reliance on the information developed during the Wind and Prairie Task Force process mapping the remaining intact prairie landscapes which clearly demonstrated the equal ecological integrity of the southern Flint Hills. This resulted in “cutting the baby in half” or more accurately cutting off the southern third of the Flint Hills/Tallgrass Prairie Ecoregion to concentrate on protection of the area north of Highway 400.

Circumstances dictate that we have to live with the Elk River Wind Project and accept the damage it has done directly to 8,000 acres of relatively pristine prairie landscape, and the surrounding landscape. Along with the Smoky Hills Wind Energy Project, it is one of the two most ecologically and aesthetically destructive windpower developments in Kansas. However, the destruction of additional intact prairie landscapes and prairie resources of this magnitude

cannot be justified by agencies of the federal government or other entities professing to be pro-environment and using “renewal energy” as a cover.

Utilities that serve Kansas and Kansans—most notably the Kansas City Power & Light Company and Weststar--that are attuned to the importance of the prairie resources in this area south of Highway 400, and aware that conservation stakeholders have never discounted this area even though the “Heart of the Flint Hills” boundary was arbitrarily drawn on that highway, have elected to forgo developments in that area. KCP&LC officials considered southern Flint Hills sites but elected to build at Spearville, Kansas where there have been almost no negative ecological impacts. We urge TVA to take a similar course.

Relative to treatment of birds and other wildlife in the EA, the list of species listed appears to be random at best, with many of the species of greatest concern completely omitted. Consideration of other species in the EA, including Greater Prairie-chickens, is fundamentally inadequate and highly misleading. Likewise, much of the information offered in the EA to characterize the status of Greater Prairie-chicken populations and responses to wind projects are based on anecdotal observations at best, surveys and field studies that are incomplete and/or not subject to peer review. The field protocol, and qualifications of some of the field technicians, are not established. Some of the statements are highly speculative. And, there have been no opportunities for unbiased, independent replication of the field surveys. Considering the wholly inadequate and misleading treatment of Greater Prairie-chicken populations, response of Prairie-chickens to the presence of wind turbines (including the Smoky Hills Wind Project referred to in the EA), “mitigation” and other management speculations, verifiable field studies need to be completed in preparation of a full and comprehensive Environmental Impact Statement on the Caney River Wind Energy Project.

Ideally, verification should be conducted by parties that are not poised to receive financial resources from the Caney River Wind Energy Project, LLC or TVA. It would be revealing if agencies and other entities provided parallel comments on the Caney River Wind Energy Project with and without the prospect of funding as outlined in the Native Environment Conservation Plan—very much as the prospect of “Project Construction” and “No Action” alternatives are presented in the EA.

It is indicated that the Native Environment Conservation Plan “would fund research on the GPC and wind energy....” Additional research is desirable, however it should be directed at the three wind energy projects already built in Kansas in GPC habitat. Attempting to justify another massive windpower project while sacrificing 14,000 acres of Flint Hills Tallgrass

Prairie habitat on the assumption that additional funding will be available for research is akin to suggesting that it is appropriate to sanction the destruction of thousands of acres of rain forest to help fund research on the effects of clear cutting on species survival.

As acknowledged in a letter dated April 17, 2009 over the signature of J. Michael Hayden, included in the draft EA, “much remains to be learned, including potential impacts related to habitat fragmentation and avoidance behavior”, however it is not necessary to construct additional wind energy projects of this magnitude in our nation’s remaining prairie habitats in order to study and monitor those impacts. In fact, no such studies of GPC are proposed on this site because of the claim that is not currently occupied by GPC.

It seems almost inconceivable that GPCs do not occur on the project site. Earlier in the same letter referred to above it was stated that, “we remain concerned that the project will result in both the loss and fragmentation of tallgrass prairie in the Flint Hills, the largest remaining tract of tallgrass prairie in North America.” If the area as a whole, or portions surveyed by contractors working for TradeWind, indicate that habitat conditions are not currently managed to accommodate GPC nesting and brood habitat needs, these conditions can be readily reversed within one to three years. Annual burning followed by intensive early season stocking in some areas, and the presence of invasive woody vegetation in other areas, certainly diminishes the habitat quality of grasslands for GPC on a short-term basis. However, those circumstances can be changed at any time by landowners or managers who want to improve habitat for these and other grassland species. Existing programs and funding are available to assist landowners with improvements for GPS. These include but are not limited to the specific funding available within the Environmental Quality Incentive Program (EQIP) and Wildlife Habitat Incentive Program administered by the U.S.D.A. Natural Resource Conservation Service, and the Partners for Fish and Wildlife Program administered by the U.S. Fish and Wildlife Service. All of these options remain available, and are receiving additional attention, under the “No Action” option for the Caney River Wind Energy Project. Since all of the current financial allocations available through EQIP and WHIP for prairie-chicken habitat enhancement practices in Kansas is not being utilized, establishment of additional funding for this purpose with the “Native Environment Conservation Plan” is not necessarily going to result in any increase in the cumulative adoption of patch burn, season-long grazing or mechanical tree removal practices in native grasslands in the Flint Hills.

Ranchers involved in the Tallgrass Legacy Alliance have recently published a brochure on management practices that improve habitat for GPCs, and more focus on the needs of GPCs and other grassland nesting birds is proceeding without construction of additional windpower

projects in the Flint Hills and any “mitigation” funding that may be offered as an indulgence. Many of the larger ranch landowners already have the financial resources to redirect and dedicate some of their lands to lower impact grazing and burning regimes that will benefit wildlife. Range management practices are not static; they are flexible and can be tailored to achieve diverse goals. By the same token, other factors including smoke management recommendations may help to encourage more range managers to burn rangelands less frequently.

Enlightening windpower developers to avoid intact prairie landscapes and ranch landowners to incorporate the needs of wildlife in their management plans are dual objectives that many stakeholders are pursuing. Prairie landscapes altered with commercial wind energy projects cannot be easily or affordably restored, but less-than-ideal range management practices are almost immediately reversible.

The EA does not consider the ecological footprint (1 mile buffer from turbines) of the proposed project, only the project boundary defined by leased acres. The composition of habitat affected by the project (by considering the ecological footprint) has a higher proportion of native prairie, some of which is high quality. The phase I footprint is really about 20,000 acres. By considering the true “ecological footprint,” rather than project boundary, one gets a higher habitat score for GPCs. It is important to note that some of the scores that presently rank low could be dramatically reversed in only a year or two.

The claims in Table 3.15 regarding “Potential Cumulative Impacts of Caney River” regarding Permanent impacts to the Flint Hills ecoregion and tallgrass habitat are entirely without foundation. The claims that the cumulative impacts are “Negligible” for Greater Prairie-chickens, “None” for Threatened and Endangered Species, and “Negligible” for Non-Game Birds are equally misleading, and all reflect a bias and failure to incorporate information readily available or the professional judgment of qualified ornithologists.

Regarding endangered species, there is no reference to or acknowledgement of the radio telemetry tracking record of a group of Whooping Cranes that migrated through the vicinity of the project area flying into the early hours of darkness before settling to roost on a pond near Eureka, Kansas. Although the site is outside of the primary migratory corridor for Whooping Cranes, there is no basis to say that the project will have no (“None”) potential cumulative impacts over time on endangered species.

By the same token, the draft EA disregards most of the non-game bird species and potential

impacts. The EA lists only 70 potential bird species in Elk County and the proposed project site, whereas the Kansas Ornithological Society website lists 229 species recorded for Elk County. Why is there no mention of many of the declining grassland nesting birds, including Grasshopper Sparrows? The EA fails to acknowledge the potential use of the project site for wintering birds—especially raptors—as well as many spring and fall migrants. It is believed that a significant portion of the total Buff-breasted Sandpiper population utilizes the Flint Hills landscape as a migration corridor and as foraging stopover site during the spring migration. Flint Hills grasslands are also important to American Golden Plovers during spring migration, and Upland Sandpipers during both spring and fall migration, and for nesting. Because the Flint Hills/Tallgrass Prairie is the only 200-mile long north-south grassland habitat across the state of Kansas and this part of the central Great Plains, it is highly likely that it is an important migratory corridor, with foraging habitat on the ground, for Upland Sandpipers and many other species.

The EA failed to acknowledge the cumulative regional impact of other wind energy projects and proposals on birds and other wildlife, and other scenic, recreational and resource values. The total cumulative visual impact of the Caney River Wind Energy Project and the Elk River Wind Project covers more than a quarter million acres. It is folly to suggest that the consequences of the visual impacts are less significant because the area is not an industrialized or highly populated area and does not have many nearby paved roads and highways. It should be an objective of the Tennessee Valley Authority and all of us to protect the natural integrity of pastoral areas, relatively roadless areas and wilderness-like area throughout this country. Most conservationists believe that protection of relatively undisturbed and unfragmented landscapes deserves to be a priority—especially when the landscape is the last major intact tallgrass prairie landscape in the country.

The EA states that voluntary siting guidelines (e.g., KDWP, KREWG, USWFS interim guidelines) were utilized to help site this project, but apparently recommendations to avoid native prairie, including in the Flint Hills, were ignored. Below are recommendations from three of the guidelines cited in the EA that seem relevant to this project.

from **Siting Guidelines for Windpower Projects in Kansas (Kansas Renewable Energy Working Group [KREWG] 2003)**

- Because of the rarity and high conservation value of the tallgrass prairie it harbors, careful consideration should be given to the impact of windpower projects in the Flint Hills¹, particularly in the relatively unfragmented areas of the landscape. In addition, care should be given to avoid damage to

unfragmented landscapes and high quality remnants in the Sandhills, Mixed Grass, and Shortgrass prairies in central and western Kansas. When feasible, wind energy development should be located on already altered landscapes, such as extensively cultivated land and/or areas already developed. An undeveloped buffer adjacent to intact prairies is also desirable; and,

- Turbines should be situated in a way that does not interfere with important wildlife movement corridors and staging areas;
- Consider potential cumulative regional impacts from multiple wind energy projects when making environmental assessments and mitigation decisions. Failure to consider multiple projects will prevent analysis at a scale that could potentially yield a much different picture.

1 Tallgrass Prairie is the most altered ecosystem in North America in terms of the number of acres lost, with only 3 to 5% remaining in any form. The Flint Hills landscape is the last expanse of tallgrass prairie, and contains approximately two-thirds of all the remaining tallgrass prairie in North America.

from **Interim Guidance on Avoiding and Minimizing Wildlife Impacts from Wind Turbines (Interim Guidance) (USFWS 2003)**

The intent of the Service's recommendation for a 5-mile zone of protection is to buffer against increased mortality (both human-caused and natural), against habitat degradation and fragmentation, and against disturbance. In considering our recommendation, FWS recognizes major declines in populations and habitats of prairie grouse. All species of prairie grouse are in varying stages of decline – some populations declining precipitously -- requiring a major focus on direct human impacts, disturbance from structures, and fragmentation of habitats. While wind plants are new additions to prairie grouse habitats in the Midwest and West, cumulative impacts from human development and exploitation must be assessed with great care and considerable detail. To reverse these declines will take significant commitment from industry, the Service, and other stakeholders. We view the voluntary nature of our guidance and specifically our 5-mile recommendation as a reasonable effort needed to conserve these important resources.

from **Wind Power and Wildlife Issues in Kansas: the Position of the Kansas Department of Wildlife and Parks (KDWP 2004)**

- Siting of wind power facilities on native intact prairie appears likely to cause avoidance or complete abandonment of otherwise suitable habitats by some grassland birds. The actual footprint or area of physical disturbance affected by the construction of turbines, roads, transmission line connections, and other infrastructure of wind facilities is small compared to overall project areas. However, behavioral avoidance of these facilities by sensitive grassland birds has the potential to expand negative effects over the entire project (generally

thousands of acres).

- (1) That wind power facilities should be sited on previously altered landscapes, such as areas of extensive cultivation or urban and industrial development, and away from extensive areas of intact native prairie, important wildlife migration corridors, and migration staging areas.
- (4) That mitigation is appropriate only if significant ecological harm from wind power facilities cannot be adequately addressed through proper siting.

The EA failed to acknowledge the FHLCA (US Fish & Wildlife Service's easement acquisition boundary) except in 3-47, where it says the FHLCA would have no negative effect on the project (rather than the other way around). The EA failed to consider the UFSWS FAC draft guidelines or the Natural Resource Planner (NRP - <http://www.kars.ku.edu/maps/naturalresourceplanner/>).

Purchase of a conservation easement on the Red Buffalo Ranch is proposed as a major portion of the investment of the "Native Environment Conservation Plan." However, the property is owned by one of the most prominent conservationists in the country, an individual who has the financial capacity to maintain and improve the property. Therefore, it is a property that is not in any foreseeable jeopardy of being developed or degraded in any way that would be prevented by the proposed conservation easement.

Consideration of our concerns and comments, and an appropriate course of action, will be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Klataske". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ron Klataske
Executive Director
Audubon of Kansas