

SAVE ONTARIO SHORES, INC.
P.O. Box 382
LYNDONVILLE, NY 14098

November 18, 2022

U.S. Fish and Wildlife Service
MS: PRB/3W
5275 Leesburg Pike
Falls Church, VA 22041-3803
Attn: FWS-HQ-MB-2020-0023
(Via electronic submission)

Subject: Comments on Proposed Rule - Permits for Incidental Take of Eagles and Eagle Nests

To whom it may concern:

Thank you for the opportunity to submit comments relating to the above-named proposed rule. Our organization is a grassroots citizens' coalition formed in 2015 in opposition to the Lighthouse Wind Project proposed by Apex Clean Energy in the Towns of Yates and Somerset, New York, along the southern shore of Lake Ontario. One of our primary concerns with this project had to do with its potential siting in the midst of a significant and internationally known migratory pathway for raptors and passerines.

Over the course of 8 years, we have become well-versed in the research which has been done regarding impacts as a result of collisions with wind turbine blades. As towers become taller, blades longer, and numbers of turbines increase, there is even more cause for concern. There have been radar studies conducted by the USFWS in our region which indicate the potential for high mortality through the rotor swept area of the blades.

Many bald eagles are observed migrating through our area in the spring and fall. There is also a resident population which routinely fishes in the lake. Local residents have taken part in raptor counts. The point of mentioning these facts is that members of our group are more than casual observers of eagles.

A point of concern with the proposed rule on permits is the limited third-party compliance monitoring required. An independent third-party monitor is essential to make sure the developer is complying with their permit. Our experience with the developer Apex has shown them to be less than forthright. This was publicly demonstrated in their conduct associated with the Galloo Island Wind Project in upstate New York. This project was withdrawn after Apex neglected to divulge the presence of an active eagle's nest within the project area. (Details are included in this NY Times article: <https://www.nytimes.com/2019/06/25/nyregion/ny-clean-energy-law-wind.html>.)

Another weakness in the new regulations is the lack of substantial post-construction monitoring for eagles. As the United States, and in particular states like New York, begin a rapid, massive buildout of industrial wind projects alongside massive solar projects, the impacts on habitat will be substantive but

the specifics are unknown. The cumulative impacts on wildlife must be monitored on a regular basis. The next five years will be crucial because the buildout will be rapid and environmentally uncoordinated.

We understand that the USFWS is trying to balance a desire to make the regulations realistic for developers so they will participate in the program with the need to protect eagles. However, these regulations, that provide little or no reliable information to assist with the upcoming buildout of industrial wind turbines, must be strengthened.

Sincerely:

A handwritten signature in cursive script that reads "Pamela Atwater".

Pamela Atwater, President
Save Ontario Shores, Inc.