



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



In Reply Refer To:
FWS/D/050790

FEB 23 2012

Mr. Nathan Frey
Department of the Interior Desk Officer
Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Frey:

The U.S. Fish and Wildlife Service (Service) requests emergency approval for the reporting and recordkeeping requirements associated with the Land-Based Wind Energy Guidelines (Guidelines). We also request a waiver of the requirement to publish 60- and 30-day notices for this emergency approval.

The development of renewable energy is important for the future of the Nation and the health of the environment. The Department of the Interior is committed to facilitating the development of wind energy and other renewable resources while protecting our Nation's treasured landscapes and wildlife. Advances in wind energy technologies and increased interest in renewable energy sources have resulted in rapid expansion of the wind energy industry in the United States. If wind energy facilities are designed and constructed in the wrong locations, they can have significant negative impacts to wildlife and their habitats.

The Guidelines describe a process for wind project developers to use to gather information to identify sites with low risk to wildlife, and to assess, mitigate, and monitor the potential adverse effects of wind energy projects on wildlife and their habitats. They have undergone significant public review and comment. We published a Notice of Availability in the Federal Register on February 18, 2011, seeking comments on the Draft Guidelines until May 19, 2011. As we revised the Guidelines, we made them available to the public for comment through meetings of the Wind Turbine Guidelines Advisory Committee in July and September 2011.


It serves the public interest not to delay the Guidelines further, particularly given that any further delay would mean that the Guidelines would not be published until after the spring bird migration season, when data about the use of potential project sites by migratory birds is particularly useful. Many bird species may be present in a project area only during migration, and data collected during that period of time are necessary to evaluate the degree to which such birds may be put at risk by project operations. Such data might inform decisions about where to site individual turbines, whether the deployment of radar or other technologies to detect approaching flocks of migrating birds is advisable, and whether feathering of turbines would reduce risks to such birds. Other birds, such as sage grouse, are most easily detected and counted while on their breeding leks in spring. Thus, delay in promulgating the wind energy guidelines until after this year's spring migration and breeding season effectively results in the loss of a full year to a wind energy industry in need of clear guidance to plan and develop wind energy resources in a manner that minimizes harm to sensitive wildlife. To provide assurance to wind

energy developers during the 2012 spring and fall migrations, it is critical for us to publish the Guidelines as soon as possible.

For all of the above reasons, we believe it is important to make the final Guidelines available immediately. We request approval as soon as possible. If you approve this emergency request, we will immediately publish a 60-day notice in the *Federal Register* and seek regular OMB approval for this information collection.

If you have any questions or need more information, please contact me at 202-208-4331, or David_Cottingham@fws.gov.

Sincerely,

A handwritten signature in cursive script that reads "David Cottingham". The signature is written in dark ink and includes a long horizontal flourish at the end.

David Cottingham
Senior Advisor to the Director