

Comments on Wildlife Portion of Proposed Wind Ordinance

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I. Brief regulatory overview:

1. There are no state or federal regulations requiring pre-siting and post-siting studies. Federal and state law do have regulations requiring an incidental take permit *if* certain species are suffering mortality or displacement. However, knowledge of such effects or the likelihood of such effects is totally dependent on voluntary self-reporting by the company.

2. Both the Illinois Department of Natural Resources (IDNR) and the U.S. Fish and Wildlife Service (USFWS) will do comprehensive analyses of a pre-siting study (called consultations) and provide comprehensive scientifically-based recommendations, but these are only if such a voluntary study is done and submitted.

3. Only the County can:

1) **require** pre-siting & post-siting studies that are submitted to the IDNR and USFWS, and

2) **require** the adoption of IDNR/USFWS recommendations.

II. Minimum McLean County ordinance requirements requested for wildlife:

1. Pre-siting study, addressing all relevant species, submitted to IDNR/USFWS.

2. Required implementation of IDNR/USFWS recommendations based on pre-siting study results, unless credible evidence is presented against the recommendation.

3. Post-siting study, addressing all relevant species, submitted to IDNR/USFWS.

4. Required implementation of IDNR/USFWS recommendations based on post-siting study results, unless credible evidence is presented against the recommendation.

from Angelo Capparella
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