

REVISED Draft Voluntary, Land-Based Wind Energy Guidelines

Questions and Answers

Question: What is the Service announcing today?

Answer: The Service is announcing the availability of the revised, draft voluntary Guidelines for wind turbine projects. These draft Guidelines demonstrate that the Service heard the public comments on its February draft and have responded to many concerns raised. The primary purpose of this revised draft is to foster discussion with members of the Wind Turbine Federal Advisory Committee and others on the best ways to conserve wildlife and their habitats with increased wind energy development. The Guidelines, once finalized, will provide developers and agency staff with a process to make the best possible decisions in selecting sites for wind energy facilities to avoid and minimize the negative effects to wildlife and their habitats resulting from construction, operation and maintenance of land-based, wind energy facilities.

Question: How did the Service create the Guidelines?

Answer: In July 2003, the Service released a set of voluntary, interim Guidelines for land-based, wind energy projects to assist developers in avoiding, minimizing and/or compensating for effects to fish, wildlife, and their habitats. Following an extended two-year public comment period, the Secretary of the Interior established the Wind Turbine Guidelines Advisory Committee (FAC) under the auspices of the Federal Advisory Committee Act in March 2007 to provide the recommendations for the final guidelines. The Committee was comprised of a diversity of stakeholders, including federal, tribal, state, private industries and conservation organizations. After two years of deliberations, the Committee submitted their final recommendations to the Secretary on March 4, 2010.

The U.S. Fish and Wildlife Service then convened an internal working group representing several Service programs to review the Committee recommendations. The working group used the recommendations as a basis to develop the Service's draft voluntary Wind Energy Guidelines. The draft, voluntary guidelines were announced on February 8, 2011. After reviewing comments from conservation organizations, industry, state wildlife agencies, and the public, the Service has revised the draft guidelines and is making the revised version available for public review and comment until August 4, 2011. This version is a revised draft, and is not expected to be finalized until late fall, 2011.

Question: How does the revised version differ from the Service's draft voluntary Guidelines published on February 8, 2011?

Answer: After carefully reviewing comments received on the February 8, 2011 draft guidelines, the Service has made many substantive and editorial changes to the original draft guidelines. The Service has provided a side-by-side comparison chart for the major elements that most stakeholders are interested in, but it is not considered exhaustive.

There are several major differences between the Service's draft guidelines published on February 8, 2011 and this revised version. They include the following:

- A) Target Audience: In the March 2010 FAC recommendations, the primary audience for the recommendations was wind developers. In the Service's February, 2011 Draft Guidelines, the primary target audience was Service staff. This revised set of guidelines has been modified to be used by both developers and Service employees.
- B) Terminology: The Service's February 2011 Guidelines did not use the same terminology that the March 2010 FAC recommendations used. The Service modified the language in the revised Guidelines to use the FAC terminology.
- C) Phase In: In the March 2010 FAC recommendations, there was a 24 month phase-in period for developers before the guidelines would become effective. In the revised guidelines, there will not be a 24 month phase-in period following the finalization of the Guidelines. Once the final Guidelines are published, the Service will apply them immediately. However, the Service is adopting the FAC recommendations with regard to allowing companies that are already in the process of developing a project to enter into the guidelines at the appropriate tier. For example, if a developer is already at Tier 3 when the guidelines are finalized, the developer can coordinate with the Service at Tier 3 – the Service will not expect them to go back to Tier 1 and start over.

Question: How can I submit my comments on the revised draft?

Answer: We will accept public comments until August 4, 2011. Please submit comments to windenergy@fws.gov.

Question: What is the next step?

Answer: After the Service receives comments on the revised, draft Land-based Wind Energy Guidelines, the Service will review the comments and make additional revisions before finalizing them. Finalizing the Guidelines and publishing their availability in the Federal Register is planned for late fall 2011.

For additional information: visit the Service's website at www.fws.gov/windenergy/