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The Wyoming Department of Agriculture is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.

May 18, 2011

Draft Land-Based Wind Energy Guidelines
Division of Fisheries and Habitat Conservation
US Fish and Wildlife Service
4401 North Fairfax Drive
Mail Stop 4107
Arlington, VA 22203-1610

Dear Sir or Madam:

Following are the comments from the Wyoming Department of Agriculture (WDA) on the U.S. Fish and Wildlife Service's (USFWS) Draft Land-Based Wind Energy Guidelines (Guidelines).

Our comments are specific to our mission within state government: dedication to the promotion and enhancement of Wyoming's agriculture, natural resources, and quality of life. As these Guidelines may have major impacts upon our agriculture industry, our natural resources and the welfare of our citizens, we believe it is important you continue to inform us of proposed actions and decisions and provide us the opportunity to express pertinent issues and concerns.

The WDA supports Wyoming's private landowners to develop and operate their lands to ensure sustainable agricultural and economic prosperity. The Guidelines neglect to recognize private landowners' rights to manage their private lands. The Guidelines neglect to include the importance of working with private landowners. The Wyoming Game and Fish Department worked in conjunction with private landowners and agricultural industries to develop comprehensive recommendations on working with private landowners on wind energy development projects called "Wildlife Protection Recommendations for Wind Energy Development in Wyoming (November 17, 2010)." In Appendix B of this document wind energy developers are to coordinate with private landowners on the development of all plans of development, reclamation plans, and monitoring plans.

We urge the USFWS consider the inclusion of similar practices in these Guidelines recognizing the differences between land management occurring on private lands versus public lands. Other states may not have a document with these important components to wind energy development. Therefore we encourage the USFWS include or utilize this document to develop similar considerations for private landowners in other states.

We strongly encourage the USFWS remove the comment included in Chapter 6 – Mitigation; Section B – Operational Measures; Bullet #8 (page 60) stating; "Minimizing habitats that... result in insect attraction (e.g. animal waste from grazing livestock)..." The science is based on one wind farm in California and has not been

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repeated. The study indicated mallard ducks had a higher mortality rate in areas associated with livestock waste, lending us to believe there is no direct correlation between livestock waste and bird fatalities. The USFWS also states; "Further field testing is suggested." Until the removal of livestock waste is accepted as a best management practice and scientifically proven, the USFWS should avoid any such assertions and remove this statement from these Guidelines.

The WDA and wind energy developers acknowledge wind energy development and livestock grazing as compatible practices. Private landowners can develop wind farms on their private lands and still maintain their agricultural interests and culture. We encourage the USFWS acknowledge private landowners rights and abilities to sustainably manage their lands. Private lands provide important habitat and open space for wildlife and visual resources.

We appreciate the opportunity to comment on the Guidelines. We look forward to reading a revised draft inclusive of our comments. If we can provide further assistance, please feel free to contact our office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Fearneyhough", with a small "for" written below it.

Jason Fearneyhough
Director

JF/cw

Cc: Governor's Planning Office
WDA Board of Agriculture
Wyoming Stock Growers Association
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