

# Press Report on the Mid-Biennium Budget Review (House Bill 490) as annotated by wildlife expert Jim Wiegand

The Director also shared that imposing fees on wind farms that kill too many birds and bats would help reduce the industry's negative effect on wildlife..... *How can this help if the studies are rigged and this industry's profits are so high that it will just be considered a cost of doing business? Look at the drug companies settling periodic class action suits on their bad drugs that should not be allowed.*

Allowing ODNR to set wildlife "taking" limits for wind farms was only one of several proposals that Director Zehringer and Ohio Environmental Protection Agency Director Craig Butler pitched to the House Agriculture & Natural Resources Committee considering the environmental mid-biennium review budget bill (HB 490).....*Setting limits is not enforceable nor should it even be considered until proper studies have been conducted. Proper studies would allow for better management, accurate take limits, and far more in potential fines the industry hides most of their mortality.*

Chairman Rep. Dave Hall advised members that the committee would "take our time" in deliberating on the bill and likely won't meet again until the second week in May when the panel will hear proponent and opponent testimony on the MBR measure.....*It should take as much time as is needed for proper studies to be conducted and evaluated. Sometime in May is not enough time for anything except to railroad though a decision.*

Mr. Zehringer said the proposed limits on wind farms generating more than 5 megawatts of electricity would allow the Division of Wildlife to charge fees consistent with the value of wildlife being killed by whirling blades of wind turbines in Ohio.....*There should be no fees based upon megawatts. They should be imposed upon on everyone (land owners, developers, and current owners) that operate a propeller style wind turbine. Fees should also not be passed on to ignorant consumers or taxpayers locked into wind energy contracts.*

The measure would allow the chief to take into account the size, location and amount of "incidental take" to tailor limits and fees to each wind farm, he said. "Our interest is to avoid, minimize and mitigate to the greatest extent possible the taking of wildlife as a result of the operation of these facilities." ..... *Unless the Chief is an expert in the field of wildlife, this chief should not be able to set any limits. "Our interest is to avoid, minimize and mitigate to the greatest extent possible the taking of wildlife as a result of the operation of these facilities." This statement has been a line used by the industry for over 30 years while they continue to annihilate wildlife across North America. This statement, like the road to Hell, is paved with good intentions.*

"Rep. Rex Damschroder challenged the notion of charging businesses a fee for killing birds and he compared it to taxing drivers for killing deer that dart out into the road" ..... *Poor analogy because drivers are not ripping up and down roads in wildlife refuges or along ridgelines at 200 miles per hour.*

"noting that wind farm operators have no control over where the animals fly". .....*this is correct but they have control over where they choose to build their deadly turbines and they have control over the fraudulent documents they produce to hide how deadly they are. They also have very reasonable and accurate knowledge of bird and bat behavior in the areas where they put their turbines and do nothing to avoid high usage areas.*

"Director Zehringer said charging a fee would help fund wildlife programs that could help ensure that reduced bird and bat populations are eventually replaced" ..... **How in God's name are any of the important bird and bat populations being slaughtered off by wind turbines ever going to be replenished by giving money to wildlife groups that are part of the rigging process?**

Division of Wildlife Chief Scott Zody noted that wildlife is considered part of the public trust in Ohio and nationally and, as such, taking animals generally requires permission. .... **Currently public permission that is given, is based upon fraudulent documents and fraudulent impact expectations.**

The proposal would help the division research bird and bat populations, set acceptable levels of "take" and penalize operators that exceed their limit, he said..... **Setting any acceptable levels of "take" is an impossible feat**

**unless the USFW voluntary regulation are done away with and accountability regulations established that would include incarceration for the wind industry's current fraudulent practices.**

Rep. Andy Thompson said birds' migratory patterns tend to follow the most favorable winds and questioned whether there was a fundamental conflict between wind farms and wildlife. ....**There is nothing to question because wind farms establish an open killing season on all bird and bat species.**

Mr. Zody said the proposal would help the state to better balance the interests of the industry with the needs of wildlife..... **" No state can ever balance the needs of wildlife unless the USFW voluntary regulations, which protect the wind industry's fraudulent practices, are done away with.**

Rep. John Patterson asked whether the measure could help the division learn more about changes in birds' migratory patterns.....**Nothing new will ever be learned about bird/wind turbine conflicts if studies are rigged and meaningful studies are avoided as they have been for decades**

"What might be an appropriate position for a wind farm today might not be an appropriate position in the future," he said..... **In time as bird and bat populations are destroyed by the wind industry, they can then brag about lower rates of mortality and expect less resistance to their deadly projects.**

Mr. Zody agreed that the fee revenue could help the division better monitor bird movement and learn more about changes in migratory patterns over time.....**What good is throwing money at any problem if the studies are rigged? Altamont pass has been studying their problems for 30 year and the only thing that has been accomplished is more killing and more feadly rotor sweep being installed. Audubon was part of a legal settlement that required a 50% reduction in mortality . This is a direct quote..... "The 2007 Settlement Agreement requires the Wind Power Companies to reduce raptor mortality by 50% and to implement adaptive management measures if a 50% reduction in mortality is not achieved.**

**have found that very little has changed at Altamont Pass and one of the adaptive management measures is that studies are being rigged to make it appear that lower mortality has been achieved. It is all a huge fraud because hundreds of carcasses are now being eliminated from the calculations. These fatalities include golden eagles, burrowing owls, red-tail hawks, and kestrels are being culled from the data with the exclusionary term "incidental" carcasses. This was not done with the pre-settlement studies. A high percentage of carcasses are also being eliminated with new exclusionary formulas and undersized search areas.**

**Audubon knows about all this because I have written about it in several articles. If mortality in any way ever goes down at Altamont, it will be due to diminished populations of the species being slaughtered and not because of Audubon, adaptive management or more studies. Also note that in the settlement that Audubon endorsed the repowering of Altamont with huge turbines. This was a move that had been in the works for years by the industry, long before there was ever a lawsuit. None of this really had anything to do with mortality. By endorsing the repowering of Altamont Audubon helped to guarantee that at least 2-3 times more deadly rotor sweep will be added to this wind farm. These huge turbines will have new mortality search areas 7-10 times too small and it will appear on paper that mortality has decreased .**

Rep. Jim Buchy compared the fee proposal to "an estate tax on birds." ..... **Poachers use premeditation and are prosecuted with fines and/or incarceration. The same should apply to this industry. Also if I am not mistaken an Estate tax is deductible. This proposed fee/fine should never be deductible .**

Rep. Brian Hill drew this conclusion from the exchange: "It's time to burn more coal and burn more natural gas." .....**deflection is a very poor reaction to an incredibly serious problem. Wind turbines will cause the extinction of dozens of protected species in the near future. Ask Rep. Brian Hill how these sprawling inefficient wind energy projects can really help cure climate change when the growth in other energy sectors will always carry the energy demand/ load for society.**