

July 10, 2013

Chairwoman Nancy Sutley
Council on Environmental Quality
722 Jackson Place, N.W.
Washington, D.C. 20503

Secretary Sally Jewell
Department of the Interior
1849 C Street, N.W., Room 7314
Washington, D.C. 20240

Re: Thirty Year Eagle Take Permit

Dear Secretary Jewell and Chairwoman Sutley:

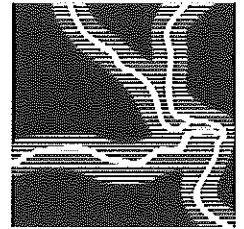
Great Rivers Environmental Law Center supports the development of renewable energy such as wind and solar and we applaud the Obama Administration's promotion of wind power, but compliance with environmental laws is just as important in the case of wind power as it is with other energy sectors.

This proposal (Thirty Year Eagle Take Permit) seems to be the same sort of error that the Obama Administration made when it issued the drilling permit to the Deepwater Horizon with only the negligible appearance of compliance with the National Environmental Policy Act. At that time, the Administration avoided complying with the spirit and the letter of the law using the so-called Categorical Exclusion and exempted Deepwater Horizon/British Petroleum (BP) from key sections of NEPA: no serious review of environmental impacts and no meaningful public input

The failure of the Administration to apply any rigor in the compliance with NEPA was one of the several process failures that led to the BP oil spill disaster.

The Obama Administration is now on the verge of making another tragic mistake by again failing to comply with NEPA in using a Categorical Exclusion with the Department of the Interior's imminent issuance of a Thirty Year Eagle-Kill Permit to the wind power industry. This thirty year permit, if issued, will result in the deaths of untold numbers of falcons, hawks, bats, and eagles all with no adequate environmental review and without the benefit of public participation as required by law when a major federal action is involved.

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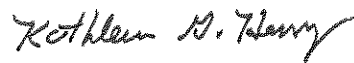
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Who would conceive of any federal administration issuing a Thirty Year Take Permit for the killing of gray wolves for the agriculture industry? Or a Thirty Year Take Permit for the killing of polar bears for the oil industry? The Obama Administration will be setting the most dangerous precedent for these and other environmentally destructive long term kill permits if it issues this Thirty Year Kill Permit to the wind industry.

Great Rivers Environmental Law Center believes that, while the Fish and Wildlife Service admits that it does not know the extent of eagle mortality from wind turbines, this is an improper use of the Categorical Exclusion. We respectfully request that your administration suspend consideration of this permit until it has complied with the National Environmental Policy Act by analyzing the environmental impacts of the proposal and allowing for meaningful public participation.

Very truly yours,

A handwritten signature in cursive script that reads "Kathleen G. Henry".

Kathleen G. Henry
President