

PENNSYLVANIA AUDUBON COUNCIL
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November 22, 2021

Hegins Township Zoning Hearing Board / Hegins Township Supervisors
Linus E. Fenicle, Hegins Zoning Hearing Board Solicitor
Hegins Township Municipal Building
421 S. Gap Street
Valley View, PA 17983

RE: Anthracite Ridge, LLC / Clean Air Generation, LLC Wind Energy Project Concerns

Dear Mr. Fenicle,

The Pennsylvania Audubon Council (Council) wishes to take this opportunity to share our concerns regarding the environmental impacts of the proposed Anthracite Ridge Wind Project in Hegins Township, Schuylkill County, Pennsylvania. The Council represents a coalition of the Audubon chapters in Pennsylvania and advocates for conservation and preservation of birds, other wildlife, and the environment on which they depend.

We ask that these comments be included in the record for the hearings in Hegins Township regarding the July 2021 Anthracite Ridge, LLC; Earthres Group, Inc. Wind Energy Safety Ordinance (WESO) Application, currently under consideration by the Hegins Township Zoning Hearing Board. Our comments are limited to potential environmental impacts caused by that portion of the project located in Hegins Township: wind turbines 1 through 9 on Bear Mountain and wind turbines 10 – 24 on Good Spring Mountain.

The Pennsylvania Audubon Council is a strong advocate for renewable energy projects, as we understand that climate change poses significant threats to humans and ecosystems. Increasing the supply of renewable energy would allow us to replace carbon-intensive energy sources and significantly reduce global warming emissions. We also recognize that improperly sited renewable energy projects create a significant threat to many species of wildlife, as well as their habitats.

We also respectfully remind the Township that officials have the obligation to uphold Article 1, Section 27 of The Constitution of Pennsylvania, known as the Environmental Rights Amendment:

The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.

The Council's evaluation of the location for the Anthracite Ridge Wind Project shows that this site poses significant risk of negative impacts to forested habitats, birds, and other wildlife species. The Hegins Township Wind Energy Safety Ordinance (WESO) clearly states in Section 2, part C that failure to comply with the WESO constitutes a danger to "migratory birds, bats and the watershed." Our review of the Application shows that the project proposal and submitted summaries of wildlife studies are inadequate and incomplete, as illustrated below.

PA-threatened Eastern Woodrat

Wind turbine roads and clearings proposed for the **Bear Mountain Heritage Area** would negatively impact a Natural Area of Statewide Significance, a designation determined by The Nature Conservancy.¹ Although the western section of Bear Mountain is protected by the Pennsylvania Game Commission as State Game Lands #264, the wind project would fragment the eastern portion of forest in the Natural Area. Forest fragmentation is caused when development such as roads, pipelines, or transmission lines are built through a forest, creating openings and smaller forest blocks.

Forest fragmentation adversely affects the PA-threatened animal species of concern found in the Bear Mountain Natural Heritage Area, the Allegheny woodrat, once a common species, but now in sharp decline. The Allegheny woodrat is a shy, nocturnal mammal dependent on unfragmented forests with rocky outcrops and is more like the western pack rat than the non-native Norway rat. Road building, utility lines, and industrial wind projects threaten the survival and dispersal of Allegheny woodrats since openings create barriers that reduce their ability to travel between rocky areas. One study found that woodrat populations within 0.62 miles of a forest road were 15 times as likely to disappear compared to those more than 1.24 miles from the forest edge.²

Federally Endangered Indiana Bat and Federally Threatened Northern Long-eared Bat

In general, industrial wind facilities cause extensive bat mortality when located near forests and winter hibernacula, as well as on mountains, which serve as pathways for migratory bat species. The U.S. Fish and Wildlife Service (USFWS) has expressed their concerns to the Applicant and recommended summer surveys as well as winter hibernacula surveys. Anthracite Wind project studies shared with the USFWS appear to be limited and insufficient since the Agency has requested details of the site and construction plan, as well as more information on the use of abandoned mines in the project area.³ The incidental take permit recommended by the USFWS should be obtained if bat impacts cannot be avoided. The USFWS correspondence lists northern long-eared bat hibernacula in the proposed wind project area, but they've requested more detailed information to determine potential impacts. We recommend that the Applicant obtain an incidental take permit to address potential impacts to Indiana bats and Northern long-eared bats before seeking approval from Hegins Township.

Bald and Golden Eagles

The proposed project area is part of the Appalachian Mountains which are important in two respects: first, as a corridor for migrating Bald and Golden Eagles each spring and fall and secondly, as a habitat resource for Bald and Golden Eagles. Both eagle species are protected under the Federal Bald and Golden Eagle Protection Act, which makes killing an individual of either species illegal, regardless of intentional or accidental mortality. Bald and Golden Eagle mortality events at industrial wind projects are well documented. Impacts to Golden Eagles are especially worrisome since the eastern population of Golden Eagles numbers less than 5,000. Research shows that Golden Eagles winter in Pennsylvania's forested mountain areas very close to the proposed project site. Golden Eagles are especially vulnerable to wind turbine mortality in the winter when they are hunting or interacting with other eagles. Direct mortality, loss of forests, and forest fragmentation are a threat to the survival of both eagle species. It appears that the

Applicant has conducted eagle and other avian studies, but the USFWS has not received the final project layout and has not developed a plan to avoid or minimize impacts to eagles and other migratory birds. It is recommended that the township review the USFWS plan before granting approval to the Anthracite Wind Project.

Birds of Greatest Conservation Need

In addition to serving as migratory pathways for eagles, other raptors, and bats, forests on Bear and Good Spring Mountains provide breeding habitat for thousands of songbirds. An analysis of the proposed wind turbine project in Hegins Township using the Pennsylvania Wildlife Action Plan Conservation Opportunity Tool reveals that forest birds will be impacted by the proposed Anthracite Ridge Wind Project. Many of these birds depend on large blocks of intact forest, which will be fragmented by the proposed project. The negative impacts of forest fragmentation are not limited to the clearings but extend as far as 300 feet into the forest. Increased numbers of avian predators and invasive plants mean that birds like the Scarlet Tanager, Wood Thrush, and Black-throated Green Warbler are at higher risk from forest fragmentation and direct mortality. Pennsylvania is a keystone state for both Scarlet Tanagers and Wood Thrush since a significant percentage of the global populations of each species breeds in the state.

In conclusion, the Pennsylvania Audubon Council Board urges that the Hegins Township Zoning Hearing Board deny the Anthracite Ridge Wind Application due to incomplete environmental studies that should be finalized and approved by federal and state wildlife agencies before the Zoning Hearing Board can adequately determine the impacts to wildlife.

Sincerely,

Pennsylvania Audubon Council
Leigh Altadonna, President

Allegheny Plateau Audubon Society
Brian Wargo, President

Appalachian Audubon Society
Alexandria Bowling, President

Audubon Society of Western Pennsylvania
Jim Bonner, Executive Director

Bucks County Audubon Society
Stacy Carr-Poole, Executive Director

Conococheague Audubon Society
Terri Kochert, President

Juniata Valley Audubon Society
Jim Carter, President

Lehigh Valley Audubon Society
Peter Saenger, President

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Ted Loy, President

Presque Isle Audubon Society
Susan Murawski, President

Seven Mountains Audubon Society
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Tiadaughton Audubon Society
Robert M. Ross, Council Representative

Valley Forge Audubon Society
Vincent Smith, President

Wyncote Audubon Society
Sherry Krider, Vice President

¹ The Nature Conservancy. 2003. A natural areas inventory of Schuylkill County, Pennsylvania. www.naturalheritage.state.pa.us/CNAI_PDFs/Schuylkill%20County%20NAI%202003.pdf

² Pennsylvania Game Commission. 2014. Allegheny Woodrat Species Profile www.pgc.pa.gov/Wildlife/EndangeredandThreatened/Pages/AlleghenyWoodrat.aspx

³ Department of Interior. Fish and Wildlife Service. July 11, 2019. October 27, 2021. Pennsylvania Field Office Correspondence with Applicant. USFWS November 12, 2021