

Kansas Department of Wildlife, Parks and Tourism

Position Statement on Wind Energy and Wildlife Issues in Kansas

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Authority

Currently, wind power projects are statutorily subject to KDWPT regulatory purview if they are publicly funded, state or federally assisted, or require a permit from another state or federal government agency (including Construction Stormwater Permits issued by Kansas Department of Health and Environment) to protect species listed as threatened or endangered as designated by the Kansas Nongame and Endangered Species Conservation Act of 1975. Kansas statutes and regulations require the issuance of special action permits from KDWPT for activities that affect listed species before such activities may proceed. Questions regarding potential permitting or formal review requests should be forwarded the Ecological Services Section at the KDWPT Operations Office in Pratt¹.

State Specific Background

Wind power is the fastest growing form of renewable energy in the United States, and Kansas has been ranked third in the nation for its potential wind resources. Availability to utilize the resource and access transmission infrastructure has led to a large increase in electrical generation from wind in the state. In 2005, wind-based generation accounted for less than 1% of total generation capacity in Kansas. As of 2016, wind energy accounted for 30% of total electrical generation in the state². Power companies continue to adopt and expand renewable energy portfolios. Federal and state tax incentives, along with advances in technology, have improved the competitive position of wind power relative to conventional energy production. These factors have created a highly competitive environment in Kansas for the location and development of commercial wind power facilities.

Wind and Wildlife

The Kansas Department of Wildlife, Parks and Tourism (KDWPT) supports the concept of electrical generation from well-sited and operated renewable energy sources. While recognizing the benefits of a renewable energy supply, KDWPT also recognizes that energy conservation and efficiency are the most environmentally benign means of freeing up energy availability for the future. Once infrastructure has been constructed, wind energy appears to offer a potential source of electricity that is nearly emission free and requires minimal use of other resources, such as water and fossil fuels, compared to traditional forms of electrical generation. However, many studies have documented potentially detrimental effects of wind energy production including bat and avian collisions, grassland fragmentation, and avoidance by sensitive species.

Recommendations

It is the statutory duty of KDWPT to conserve the wildlife resources of the State for all Kansans and, consequently, the agency considers it critically important to protect the integrity of remaining intact prairie habitats in Kansas. Thus, it is the position of KDWPT:

(1) That wind power facilities should be sited on previously altered landscapes, such as areas of extensive cultivation or urban and industrial development, and outside of the "Tallgrass Heartland" wind

moratorium area as well as other areas of large intact native prairie, important wildlife migration corridors, and migration staging areas.

(2) That projects should adhere to the Siting Guidelines for Windpower Projects in Kansas, produced by the Kansas Renewable Energy Working Group³, or the U.S. Fish and Wildlife Service's Land Based Wind Energy Guidelines⁴.

(3) That the study and establishment of standards for adequate inventory of plant and animal communities is conducted before wind development site selection, during construction, and after development is completed. The resultant improvement in available knowledge of wind power and wildlife interactions obtained through research and monitoring should be used to periodically update guidelines regarding the siting of wind power facilities.

(4) That the Department recommends avoidance of native prairie and other crucial habitats as opposed to compensatory offsite mitigation.

(5) That mitigation is appropriate if significant ecological harm from wind power facilities cannot be adequately addressed through proper siting and avoidance of crucial habitats. The Department requests that, when possible, project developers utilize established mitigation programs to offset unavoidable impacts (examples include established conservation banks and the WAFWA Range Wide Plan for Lesser Prairie-Chicken Conservation).

(6) That the Department manages public wildlife areas to optimize habitat for native wildlife species—especially game species and migratory birds. This work tends to concentrate wildlife in those areas. To avoid adverse impacts to those species and the users of the wildlife areas, the Department recommends that turbines not be sited within three (3) miles of a KDWP-managed property.

(7) That Environmental Reviews, which investigate possible impacts to native wildlife and habitats, should be conducted by Department staff to assist in the determination of possible adverse impacts to wildlife and support the establishment of processes to ensure a comprehensive and consistent method in addressing proposed wind power developments.

References

¹ Threatened and Endangered Wildlife. Kansas Department of Wildlife, Parks and Tourism - <http://ksoutdoors.com/Services/Threatened-and-Endangered-Wildlife>

² American Wind Energy Association. 2016. Kansas Wind Energy. Retrieved October 31, 2017, from <http://awea.files.cms-plus.com/FileDownloads/pdfs/Kansas.pdf>

³ Kansas Renewable Energy Working Group. 2003. Siting Guidelines for Windpower Projects in Kansas. Retrieved October 31, 2017, from www.kansasenergy.org/documents/KREWGSitingGuidelines.pdf

⁴ U.S. Fish and Wildlife Service. 2012. Land-Based Wind Energy Guidelines. Retrieved October 31, 2017, from https://www.fws.gov/ecological-services/es-library/pdfs/WEG_final.pdf