



ATLANTIC FLYWAY COUNCIL

Ontario	Québec	Nanavut	New Brunswick	Newfoundland	Nova Scotia	Prince Edward Island
Maine	New Hampshire	Vermont	Massachusetts	Rhode Island	Connecticut	New York
Pennsylvania	New Jersey	Delaware	Maryland	Virginia	West Virginia	North Carolina
South Carolina	Georgia	Florida	Puerto Rico	Virgin Islands		

July 28, 2009

Mr. Marvin Moriarty
Regional Director, Region 5
U.S. Fish and Wildlife Service
300 Westgate Center Drive
Hadley, MA 01035

Dear Mr. Moriarty:

The Atlantic Flyway Council (Council) is an organization composed of members of state and provincial wildlife agencies in the 23 Atlantic Flyway states and Canadian provinces. The Council serves in an advisory capacity to state, provincial and federal wildlife agencies. The Council's primary responsibility is the sound stewardship of our shared migratory bird resources and their habitats.

The Council recognizes the valuable contribution that offshore wind energy development can have in meeting human energy demands and reducing greenhouse gas emissions. The Council endorses the careful siting of wind energy development where impacts to migratory birds are carefully considered in the planning process. In fact, the Council applauds the leadership roles that New Jersey and Delaware have taken in natural resource assessment regarding offshore wind energy development. The Council believes that New Jersey's Ocean/Wind Power Ecological Baseline Studies approach to offshore wind energy development, where resources are assessed to develop maps showing where the risks to natural resources posed by wind energy development are minimal, could serve as a national model.

The Council understands that a proposal by Delsea Energy plans to erect 106, 3.6 MW wind turbines that would be built in the New Jersey waters of Delaware Bay with an additional 16 wind turbines erected in adjacent wetlands in Cumberland County. The Delaware Bay and its wetlands support a diverse and abundant assemblage of migratory birds. Because of the exceptional aggregations of birds found here, Delaware Bay has received international recognition as a Western Hemisphere Shorebird Reserve Network site, a Ramsar Site per the Convention on Wetlands of International Importance especially as Waterfowl Habitat, and an Audubon Important Bird Area of global significance. As such, New Jersey and Delaware have regional responsibilities to protect birds and their habitats in Delaware Bay.

The Council is greatly concerned about the potential negative impacts to avian resources by the proposed Delsea Energy project in Delaware Bay, including collisions with wind turbines, direct habitat loss, and displacement and disturbance during construction and future maintenance activities. Delaware Bay is a major spring shorebird stopover in the Western Hemisphere. It is one of only four

estuaries in North America where over one million shorebirds concentrate during migration. In Delaware Bay, spring staging shorebirds spend several weeks replenishing fat reserves needed to continue migration to arctic breeding grounds. Of particular importance are red knots, which are a candidate species for federal listing under the Endangered Species Act. Over 80% of the Atlantic Flyway population of red knots stage at Delaware Bay during spring migration. Delaware Bay also supports about 350,000 wintering waterfowl of over 20 species including 30,000 American black ducks. Other than the southern New Jersey Atlantic Coast, this is the largest concentration of wintering black ducks in the Atlantic Flyway.

Both waterfowl and migrating shorebirds have been shown to be sensitive to disturbance caused by human activities, including avoidance of areas where large nearshore wind turbine arrays are located (per European studies). Placement, operation, and maintenance activities associated with wind turbines in Delaware Bay are likely to disrupt feeding and roosting waterfowl and staging shorebirds directly or by displacing them from areas where critical resources are located. This disruption could be particularly devastating to staging shorebirds that must increase fat reserves in a limited time to successfully continue their migration. Placement of turbines and associated project infrastructure such as power collection lines in marsh habitat areas will also directly reduce habitat available for waterfowl, shorebirds, and other migratory birds.

Songbirds, raptors, and upland game birds migrating in fall become concentrated along the Delaware Bay coast in New Jersey since the open water of the bay creates a barrier to migration. As a result, these migrating birds "stack up" along the bay shore and subsequently move up and down the bay shore seeking a favorable spot for crossing. Data from surveys and studies of shorebird movements in Delaware Bay indicate that thousands of birds fly at altitudes coincident with turbine blade operation in the proposed project area, placing them within the zone of highest risk for collision.

In closing, the Atlantic Flyway Council recommends that the appropriate authorities consider these potential significant impacts to migratory birds and their habitats, and work with their state and federal wildlife agencies when considering the Delsea Energy proposal and future wind energy proposals in Delaware Bay. The Council also urges that wind energy development be pursued at sites where negative impacts to our migratory bird resource are minimal.

Sincerely,



Calvin W. DuBrock, Chairman
Atlantic Flyway Council

cc: Dr. Herbert Raffaele, U.S. Fish and Wildlife Service, Chief, Division of International Conservation
Dr. Robert Blohm, U.S. Fish and Wildlife Service, Chief, Division of Migratory Bird Management
Matt Hogan, Executive Director, Association of Fish and Wildlife Agencies