



Every now and then it helps to “hit the reset button” on bird conservation issues. That makes it easier to find and fix false statements and misleading assumptions that can make these issues more contentious than they need to be. Take wind power, for example. Is it always “green?” Does it kill a lot of birds? If it does, is that the price the nation needs to pay for clean energy?

Dr. Michael Hutchins, National Coordinator for ABC’s [Bird Smart Wind Energy Campaign](#), says those are some of the wrongheaded notions now embedded in the national debate about the potential threats that poorly sited and poorly operated wind facilities pose to North American birds. In an effort to move past them, Hutchins has identified the Top Ten Myths involving wind power and birds. Here they are, in reverse order.

Myth #10: There Are No Good Estimates of Bird Kill Numbers in the United States.

True, if by “good” you mean “definitive,” but false if you are trying to imply that there’s no evidence that the nation’s wind power facilities are killing significant numbers of birds. And, even more incorrect if you’re trying to imply that there there’s no reason to believe that these numbers will not skyrocket in the near future.

In 2009, the U.S. Fish and Wildlife Service (FWS) estimated that 440,000 birds were being killed each year at the nation’s wind facilities. Four years later, a [peer-reviewed study in the *Wildlife Society Bulletin*](#) raised that estimate by 30 percent, to 573,000 bird fatalities a year at 2012 build-out levels.

The author of the study noted that his estimates may be low. In particular, research has suggested that the carcasses of birds killed by wind turbines may be carried off by scavengers much more rapidly than has been supposed. In addition, different observers may detect carcasses at different rates, introducing observer bias. Such estimates also do not include the birds killed by collisions or electrocutions at associated transmission lines.

There is an urgent need to develop bird kill estimates that are more precise and credible. This could be done by making it easier for independent researchers to gain access to wind power facilities and by requiring that a standard research protocol be used. New technologies involving a combination of auditory cues and thermal video could be a game-changer because they automatically record bird strikes at both wind turbines and transmission lines in real time and are relatively inexpensive.

The number of birds killed by wind energy is expected to balloon to 1.4 million If the wind power industry meets ambitious production goals developed by the U.S. Department of Energy and the Obama White House. That expansion effort could require a ten-fold increase in the number of U.S. wind turbines in the next 15 years.

Myth # 9: Wind Power Companies that Violate Bird Protection Rules Are Routinely Punished.

Since the 1980s, only one wind facility has been successfully prosecuted for violating federal rules and permitting guidelines designed to limit bird kills at the nation's wind power complexes. The wind company in question was a Wyoming facility owned by Duke Energy, which also produces oil and gas. The Justice Department accused Duke of violating several bird protection rules between 2009 and 2013, after the discovery of 14 Golden Eagles and 149 other protected birds at the "Campbell Hill" and "Top of the World" wind energy plants in Converse County, Wyoming. As part of a settlement announced last fall, Duke Energy agreed to pay a total of \$1 million in assorted fines and mitigation. That's a tiny fraction of \$3 billion in profits reported by the company in 2013.

There are thousands of wind power facilities in the United States. Many of them have been accused repeatedly of violating federal bird protection laws. But it's not clear whether any of those investigations will lead to prosecutions linked to bird mortality. In addition, I know of no cases where a particularly lethal facility, such as the notorious Altamont site in California or the [Criterion site in Maryland](#), has been shut down following an abysmal record of bird and/or bat kills.

Representatives of the wind power industry sometimes argue that this dearth of prosecutions shows that the nation's wind facilities are remarkably bird-friendly, but at ABC we disagree. What these numbers really show is that the nation's largely voluntary bird protection regulations are embarrassingly weak and ineffective. Currently, most of these regulations only take effect when wind power companies "self-report" potential violations of bird safety laws.

We suspect that those self-reporting rules have encouraged many companies to keep potentially troublesome bird kill numbers to themselves. It's worth noting that if the Duke Energy facilities had not volunteered their bird kill data to federal regulators, the number of bird safety prosecutions linked to U.S. wind plants could still stand at zero.

Myth #8: The Potential Impacts of New Wind Plants Are Always Studied in Advance.

Recently, a 300-foot-tall wind turbine was put up at the [Lake Erie Business Park near Clinton, Ohio](#), and another lies on the ground waiting to be erected. Four more turbines are proposed, and all of them are near important migratory flyways. Being on private land, the owners of these turbines were not required to study the potential impacts of this project on native birds for federal or state regulators.

The fact that wind plants on private lands do not require federal approval is disturbing. Native birds are not the private property of the for-profit wind industry, especially when they are building turbines that kill birds. Native birds are public treasures, owned by the American public and held in trust for current and future generations.

Myth #7. Conservationists Have Stunted the Growth of the Wind Power Industry.

The amount of energy generated by the nation's wind power facilities has risen dramatically in recent years, from a total of 2,539 megawatts in 2001 to more than 60,000 megawatts in 2012. In the fourth quarter of 2012 alone more than 8,000 megawatts worth of turbines were constructed in this country. Generally speaking, this is not an industry whose growth has been stunted by environmental concerns.

There's no doubt that local bird conservation groups have helped draw national attention to the threats that badly sited wind facilities pose to native birds. A few poorly sited proposed facilities have been abandoned after questions were raised by local citizens groups, often with help from ABC. But many more facilities have been approved and an enormous number of projects are now being planned, even in the most sensitive of bird habitats and migratory routes.

Myth #6: Bald and Golden Eagles Use Their Incredible Eyes to See Wind Turbines Coming and Avoid Them.

Theoretically, the nation's Bald and Golden eagles are extremely well protected: According to federal regulations, wind power companies cannot kill a single one of these birds unless they have been granted an "incidental take permit" authorized by FWS. Those permits allow specific wind plants to "accidentally" kill the protected birds while generating power. Recently the FWS triggered a storm of controversy by extending the maximum length of these take permits to as many as 30 years from the old limit of five, after heavy lobbying by representatives of the wind power industry.

ABC recently announced that it will be [suing the Department of the Interior](#) over the ill-conceived regulation, citing violation of the National Environmental Policy Act, the Endangered Species Act, and the Bald and Golden Eagle Protection Act.

Some supporters of this rule change argue that because eagles have remarkable eyes they're able to avoid the turbines. And there is no doubt that eagles have amazing vision. For example, it's likely that Golden Eagles can see rabbits hiding in the brush while soaring a mile above the ground. But the notion that these birds see turbines and avoid them is unproven at best: since the 1980s, the turbines at California's Altamont facilities alone have killed more than 2,000 eagles, and there are good reasons to suspect that this that this kill estimate is low.

Eagles hunt while soaring, often well within the range of long, thin turbine blades that can rotate at as many as 170 miles an hour. Many eagle experts say it's likely that these birds keep their eyes locked on the ground (where the prey is) while soaring. If true, then eagles may be even more vulnerable to collisions than we know, especially when the wind turbines putting them at risk are built in or near important raptor hunting grounds, densely populated with ground squirrels or other small prey, as is the case in Altamont.

Myth #5: Everything about Wind Power is "Green."

Wind power facilities are "green" in the sense that they do not produce air pollution. But it's been clear for decades that when these facilities are built near migratory pathways, breeding areas, and other bird-rich locations, they pose very real threats to federally protected birds and bats. Those facilities are not "green" unless birds and bats do not count. They do.

As referenced in #6, the country's most notorious example of how "bird-unfriendly" badly sited wind facilities can be is the 5,400-turbine complex built in 1981 near Altamont, California, in an area known at the time as both a migratory corridor and as a hunting ground for Golden Eagles. Upward of 2,000 Golden Eagles and thousands of other birds have been killed by the blades of these turbines.

Spokesmen for the wind power industry say they've learned how to steer clear of important bird habitats. Those claims have been called into question in [Somerset County, Maryland](#), where plans are being laid to build 26 turbines near a major nesting area for Bald Eagles.

In central Wyoming, the owners of the proposed [Chokecherry-Sierra Madre complex](#) want to raise as many as 1,000 turbines in an area important to Golden Eagles and Greater Sage-Grouse. And a major wind facility may soon be constructed in the middle of a migratory route in Kansas used by the world's only remaining population of wild Whooping Cranes.

We could probably add scores of other controversial wind power proposals to this list and still have some to spare.

Myth #4: Modern Wind Facilities Use New Technologies to Minimize Bird Kills.

This is often represented as a fact by spokesmen for the wind power industry, who suggest that modern wind facilities come equipped with sophisticated bird-tracking radar systems and other technological “bells and whistles” that help limit bird kills. Some of these technologies are potentially helpful, but none of the important ones have been independently tested for effectiveness.

For example, there’s no solid evidence that high-tech radar systems will be able to accurately detect oncoming flocks of protected birds, or to do that quickly enough to close down turbine complexes in time to avoid bird deaths. No more than a handful of wind power facilities are even experimenting with these systems. To my knowledge, few wind facilities are currently planning to install these technologies, as they are expensive.

Another version of this myth holds that taller, more efficient “monopole” turbines are easier on birds than the less efficient older “lattice” turbines in places such as Altamont. Recently, this argument was undercut by a [study of American bird kills](#) linked specifically to monopole turbines. That report concluded that the newer, taller monopole turbines may actually be more dangerous, primarily because bird kills were found to be greater at taller turbines. In the last 10 years alone, the average height of turbines used at U.S. wind facilities has increased by 50 percent, and this trend is almost certain to continue. The blades on the world’s largest wind turbine, now being tested in Denmark, are a staggering 718 feet tall.

Myth #3: Offshore Wind Facilities Kill Fewer Birds.

At the moment it’s extremely difficult to estimate the potential impact of offshore wind facilities on birds. For example, how does one develop site-specific estimates of bird collisions when carcasses land in open water and either sink, get carried off by tides and currents, or are eaten by predators? And if there are no carcasses, how can wildlife protection laws be effectively enforced?

Bird experts don’t know the answers to those questions yet. But it’s fair to say that nothing they have learned so far suggests that offshore wind facilities are always better for birds. In other words, there’s some reason to believe that offshore facilities built in migratory pathways may be just as deadly as badly sited onshore plants.

For example, in recent years, the claim that offshore wind facilities will kill fewer birds has been used to support a series of proposals to build facilities off the southern coast of Texas in particular, even though vast numbers of declining bird species fly through those waters twice a year, while migrating back and forth between breeding grounds in North America and wintering grounds in the Caribbean and Central and South America.

Projects such as these should be moved to the back burner until we’ve learned more about the potential threats that offshore wind facilities pose to birds, and much more about how to keep offshore bird kills to a minimum through proper siting and mitigation. There’s no reason to repeat the same mistakes we’ve made with land-based wind plants.

Myth #2. Wind Power Facilities Can't Hide Bird Kill Numbers from the Public.

Since the 1980s, federal “Right to Know” laws have been used to drive pollution levels down at many of the nation’s factories and chemical facilities, even when those emissions were within federal guidelines. Basically those rules mandated that regular pollution readings taken by government regulators or independent experts be made easily available to anyone who wanted to see them. Nonprofit watchdog groups have used this information to “shame” factories with high pollution levels into finding cleaner ways to make their products. Some of these same companies have also been punished in the marketplace by competing businesses that made it known that their facilities were “cleaner.”

Sadly, very different rules are now being used to govern bird kills at our nation’s wind facilities. The current rules allow contracted employees of wind facilities to collect and report potentially embarrassing bird kill data. This self-reporting of bird fatalities also makes it easier for wind power companies to hide their findings or consciously deceive the public and regulators, covering up potential violations of federal laws including the Endangered Species Act, the Migratory Bird Treaty Act, and the Bald and Golden Eagle Protection Act.

In addition, data sent to regulators at FWS is often treated as “proprietary information”—an industry catch phrase that implies that the public has no right to see it; ridiculous, yet true. We should add that in 2011, ABC asked FWS to release some bird kill data that had not been made available to the public, under the terms of the Freedom of Information Act (FOIA). Three years later, we’re still waiting. [ABC was forced to take legal action](#) in an attempt to obtain the data we requested because the public has a right to know.

Defenders of these business-friendly rules and regulations sometimes say they are the only way to stop competing businesses from using bird kill data to gain a competitive advantage in the marketplace, but that’s exactly what for-profit businesses should be doing. The voluntary and secretive nature of existing bird protection rules makes it impossible to know whether bird kill data gathered at specific wind plants is accurate or credible, if it is gathered at all. These rules are highly problematic.

Indeed, the nation’s native birds are not the property of for-profit wind companies, but are a collective resource of the American people and held in trust for current and future generations.

Myth #1: Bird Kills Linked to Wind Power Are the Price We Have to Pay to Combat Global Climate Change.

If just one myth is dispelled, I hope it is this one, partly because it has been endorsed by the leaders of some of the country’s better-known environmental groups. Though they might not say so for the record, these good people seem convinced that massive bird deaths linked to turbines will be one of the inevitable side effects of a successful effort to reduce emissions of fossil-fuel pollutants linked to global climate change.

However, ABC is convinced that better siting regulations and tougher bird protection rules would make it much easier for wind power companies to build Bird Smart facilities. Fully tested, mandatory permitting regulations leading to proper siting of new facilities and appropriate, effective mitigation would make them much better for birds—and in the long run, for people, since many birds play key roles in the ecosystems on which people depend.

We've written a letter to Interior Department Secretary Sally Jewell, encouraging her to conduct a [national programmatic wind Environmental Impact Statement](#). The results could help identify, once and for all, locations that the industry should avoid completely and others where the risk to public trust resources, including native birds, is low. ABC's [Wind Development Bird Risk Map](#) could be useful in this regard, but there are many other considerations, including impacts on other wildlife species.

Let us not forget that one of the most pressing problems linked to climate change is the loss of precious plants and animals, including many irreplaceable and ecologically vital birds. A rapid, headlong, and irresponsible expansion of the nation's wind facilities could result in further declines in our nation's bird populations in the very near future, especially when the damage done by badly sited wind plants is combined with the damage done by habitat loss and other human-caused threats such as window collisions and predation by outdoor cats.

Finally, if our use of fossil fuel is not decreased proportionally with the growth of renewable energy—which is not currently happening—we still won't solve the climate change problem, and thus far, the wind energy build-out has not decreased our use of fossil fuels. Our use of coal, for example, has actually increased.

We can do better than that.

ABC's efforts to establish [Bird Smart wind energy](#) in the U.S. are made possible in part by the generous support of the Leon Levy Foundation.



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