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Mr. Benny Luedike  
Florida Department of Environmental Protection  
400 N. Congress Ave., 3rd Floor  
West Palm Beach, FL 33401  
Via email: Benny.Luedike@dep.state.fl.us

November 26, 2013

Dear Mr. Luedike:

Geoff West of Normandeau notified us in an email on November 25, 2013 that Wind Capital Group is no longer pursuing the Sugarland Wind Project in the Everglades Agricultural Area. However, the Florida Department of Environmental Protection (DEP) issued Environmental Resource Permit No. 50-0314230-001 for this project on November 12, 2013.

Audubon Florida opposes this permit, which was issued without a notice of intent. Please keep us informed of any changes to the status of the permit, including but not limited to its revocation, abandonment, or any attempt to transfer the permit to another entity.

This project could have become the first operational wind farm in Florida and set a precedent for the approval process of alternative wind energy projects. It is crucial that adequate procedures are devised to balance the development of green energy with bird and wildlife protection in the permitting process.

Audubon Florida is supportive of alternative energy, but it must be in the appropriate location. The Sugarland Wind Farm would have been located in a major migratory route for birds in the Atlantic Flyway, as well as in close proximity to Lake Okeechobee, the Loxahatchee National Wildlife Refuge, and the Stormwater Treatment Areas, world renowned for their bird diversity and abundance.

The risk of death to birds and other wildlife caused by this project would have been unacceptable. In June 2013, Audubon Florida copied you on a letter submitted to the United States Army Corps of Engineers regarding the "Wildlife Risk Assessment" conducted by Normandeau Associates, Inc. for the proposed project. A copy of this letter is attached. The data in the "Wildlife Risk Assessment" suggested the potential for the substantial take of important species such as Wood Storks, Everglade Snail Kites,

Brazilian Free-tailed Bats, and other species awaiting individual risk analysis. We concluded that these impacts remained too great for the project to be permitted without a vetted and approved Bird and Bat Protection Plan. Even with such a plan, the risks would likely have remained too great.

The permit's Specific Condition #18 that required the submittal of an Avian and Bat Protection Plan to the Florida Fish and Wildlife Conservation Commission (FWCC) was inadequate to address the potential impacts to birds and wildlife. The condition only required the submission of the plan to FWCC for approval, not the approval itself. The condition did not specify what level of protection would be required in the plan. It did not require post-construction monitoring, nor set any parameters of when impacts are so great as to require the suspension or termination of the project.

Furthermore, this permit was issued without coordination with the United States Fish and Wildlife Service. When this permit was issued, the United States Army Corps of Engineers was conducting an ongoing consultation with the United States Fish and Wildlife Service over potential impacts from this project to federally listed endangered species, among other impacts to birds and wildlife.

Finally, we are dismayed that this permit was issued without a notice of intent. The development of a new renewable energy generates a great deal of interest from concerned citizens. Numerous environmental organizations, public interest groups, and members of the public closely followed this project since it was first proposed in 2011. Issuing the permit without a notice of intent denied the public an adequate opportunity to participate in this process.

We are relieved that Wind Capital Group is no longer moving forward with this project. In the future if similar permit applications arise, we hope that DEP will take steps in the permitting process to ensure green energy is sited in the appropriate place.

Sincerely,



Jane Graham  
Everglades Policy Associate  
Audubon Florida