

## HOUSE CONCURRENT RESOLUTION NO. 1016

A CONCURRENT RESOLUTION, Urging the United States Fish and Wildlife Service and the Western Area Power Administration to avoid overly restrictive wildlife criteria and overly burdensome procedural requirements that create unnecessary delays in the siting of wind energy development projects.

WHEREAS, the Western Area Power Administration (WAPA) and the United States Fish and Wildlife Service (USFWS) in September of 2008 announced the use of programmatic environmental impact statements for the processing of siting requests for wind energy projects in the upper Great Plains region; and

WHEREAS, the programmatic EIS process will define the nature and extent of alternative analysis or mitigation requirements necessary for wind energy generation projects to be built within the whooping crane and other migratory bird flyways, an area that covers a wide strip of territory from Canada to Texas, including much of the state of South Dakota; and

WHEREAS, the upper Great Plains is one of the best resources in the world for wind energy development, and Americans generally support wind energy development as an important element in establishing energy security for the United States; and

WHEREAS, among its numerous benefits, the development of wind energy would reduce CO2 emissions, reduce water consumption, reduce dependency on coal, slow the loss of native grasslands, and serve as a renewable source of electric energy; and

WHEREAS, establishing reasonable regulations related to transmission issues and wildlife protection can help move wind energy projects forward more quickly and efficiently. However, overly restrictive regulations can delay or even halt wind energy development in this region as wind energy projects are particularly time-sensitive; and

WHEREAS, protection of the whooping crane and migratory bird flyways is an important environmental goal, but the procedural safeguards to ensure that protection must be reasonable and consider impacts on the economy; and

WHEREAS, there is a possibility that the use of the programmatic EIS process could exclude broad areas of some of the best wind energy resources in the upper Great Plains from development

out of concern for the whooping crane's migratory path; and

WHEREAS, such action could delay indefinitely a wide array of planned wind energy projects in the Dakotas and may end the development of wind energy in the region:

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-fourth Legislature of the State of South Dakota, the Senate concurring therein, that the South Dakota Legislature supports the adoption of reasonable regulations related to wildlife and transmission issues if such regulations help move wind energy projects forward more quickly and efficiently. However, the Legislature urges the United States Fish and Wildlife Service and the Western Area Power Administration to avoid overly restrictive wildlife criteria that will cause significant procedural steps and delay projects related to the siting of wind energy development in South Dakota and the upper Great Plains.

Adopted by the House of Representatives,  
Concurred in by the Senate,

March 4, 2009  
March 6, 2009

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Timothy A. Rave  
Speaker of the House

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Karen Gerdes  
Chief Clerk of the House

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Dennis Daugaard  
President of the Senate

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Trudy Evenstad  
Secretary of the Senate