

February 8, 2006

Office of the Governor  
State Capitol  
1900 Kanawha Blvd., East  
Charleston, WV 25305

Dear Governor Manchin,

Two days ago I sent a letter to you regarding two species of wildlife that are on the Endangered Species List — Bald Eagle and the Virginia Big Eared Bat. These animals are resident in and around an area in Pendleton County, WV for which Liberty Gap Wind Force LLC has submitted a siting certificate with the WV Public Service Commission for a 40-turbine wind energy facility (Case No. 05-1740-E-CS-CN). I would also note that a population of this bat lives in Kenny Simmons Cave, which is in extremely close proximity to the projected wind project.

**My previous letter did not explicitly ask you to issue an administrative order requiring the various state agencies to work together, and with the Public Service Commission, in reviewing siting applications. But this is what is urgently needed, and I am asking now.**

Liberty Gap's filing with the PSC is woefully remiss for specific content, especially regarding adequate, proper, and official studies of the impact of wind turbines to these endangered animals. The PSC has stated that it does not have the expertise to review critical parts of the application from an expert perspective. And, Liberty Gap's paperwork only states that their company is aware of the mortality issue, and is looking at ways to minimize it.

I have spoken with wildlife biologist with the WV Division of Natural Resources, Craig Stihler, about this issue. He and others with the DNR are very concerned, but are not authorized to intervene without official orders or requests to do so. He informed me that a biological study would answer two critical questions: 1) How large the impact would be; and 2) How likely (including supportive numbers) killing of these animals would occur. Crucial to all of this is the fact that Liberty Gap has requested expedited service from the PSC for approval of their siting certificate.

The following is from Craig Stihler's report, "Shedding Light on West Virginia's Cave-Dwelling Bats," written for WV Wildlife Magazine: "The Virginia big-eared bat is the only species in West Virginia known to use caves as maternity roosts. Most bats produce just one or two young per year." (Kenny Simmons Cave is perilously close to the proposed wind farm.)

Mr. Stihler informed me that just yesterday his office brought on a new hire to specifically address wind power and its effect on wildlife. Please advise me as to who or what office is authorized to intervene and ask the DNR to perform an official and biologically sound study of this issue. Governor Manchin, why are taxpayers paying for state employee salaries and support infrastructures (buildings, equipment, etc.), as well as environmental, wildlife, and other kinds of studies just so they can exist in these dispersed vacuums? A government that does not interact with itself is not only of limited value, but can be extremely dangerous to those causes it seeks to protect.

**Please immediately issue an administrative order requiring the various state agencies to work together, and with the Public Service Commission, in reviewing siting applications. Why are we paying yet one more salary if it is not put to good use?** This will be a huge leap forward toward a better WV government. Thank you in advance for your attention and assistance.