

February 7, 2013

Jeffrey Towner  
Field Office Supervisor  
U.S. Fish and Wildlife Service  
North Dakota Field Office  
3425 Miriam Avenue  
Bismarck, North Dakota 58501-7926

**Subject: Scoping Comments on Merricourt Wind Power Project Incidental Take Permit**

Dear Mr. Towner:

The undersigned 76 organizations respectfully request that U.S. Fish and Wildlife Service (FWS) initiate an Environmental Impact Statement under the National Environmental Policy Act (NEPA) for the Merricourt Wind Power Project, extend the scoping period for 30 days, and publish notice of the scoping period in the Federal Register.

As FWS has acknowledged, the project has potential for lethal take of two ESA-listed birds, Whooping Cranes (endangered) and Piping Plovers (threatened). As a result, this project is of considerable public interest and likely to cause significant environmental impact under NEPA.

In addition, this project's NEPA process is precedent setting. We believe that no Incidental Take Permit for ESA-listed bird species has been given to any wind farm on the U.S. mainland. Both of these species are the subject of intensive conservation efforts, and in particular, the Whooping Crane, which still numbers fewer than 400 individuals in the wild, has been the focus of an expensive captive breeding and recovery program.

Thank you for reopening the public comment period. However, because the project's new NEPA scoping period has not been published in the Federal Register, the agency has failed to involve the public to the extent practicable. Wildlife organizations, birdwatchers, and members of the public who care about Whooping Cranes and Piping Plovers have not been adequately notified and thereby denied the opportunity to participate. Instead, notice was given by mail to select groups on a private list kept by the environmental consulting firm that was contracted to create the NEPA documentation.

This is not the open process that such landmark species deserve, nor is it in keeping with the intent of Congress when it created NEPA to ensure for informed and meaningful public involvement in environmental decisions. We urge you to initiate an Environmental Impact Statement and because there has not been adequate public notice of the scoping period, to extend it by 30 days and publish notice of the scoping period in the Federal Register.

Thank you for your consideration of our request.

Sincerely yours,



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