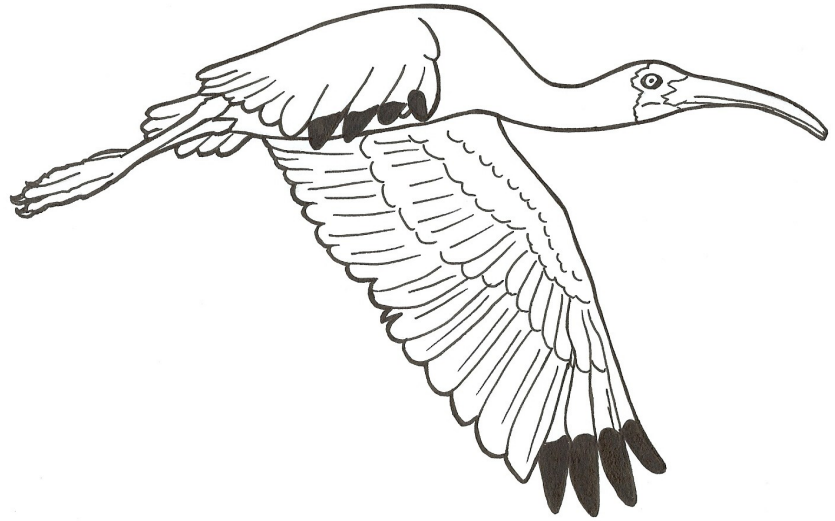


# the IBIS



Newsletter of the Orleans Audubon Society.

A Chapter of the National Audubon Society.

Volume: XXXVIII Issue: 1

September/October 2023

## Fall 2023 OAS Programs

### Wine and Cheese Party

Tuesday, September 19

7:00 to 8:30 p.m.

Community Church Unitarian Universalist, 6690 Fleur de Lis  
(Lakeview).

RSVP to Joelle Finley, 504-715-2647, [jjf1946@gmail.com](mailto:jjf1946@gmail.com) before  
September 12<sup>th</sup>.



Cedar Waxwing by Pippin Frisbie-Calder

### Birdwatching Brazil: Three Trips of a Lifetime

**Speakers:** Amy and Aubrey Nolan

Tuesday, October 17

6:30 p.m. social, 7:00 p.m. program

Community Church Unitarian Universalist, 6690 Fleur de Lis (Lakeview).

After a life of working and living around the world, we discovered birding in Africa while living in Angola. After our first safari we grew more interested in the birds than the animals until we were truly addicted. Aubrey started as the photographer but has morphed into a birder as well.

Traveling in Brazil, we visited much but certainly not all of an enormous country rich in bird life. Our photos represent birds of varied habitats including the Pantanal and the coastal Atlantic Rain Forest, then south toward Rio Grande do Sul State and finally Amazonia. From Hyacinth Macaws to Musician Wrens, from ever present tanagers to skulking ant pittas, we loved them all.

## Frontiers in Avian Exploration and Speciation Research on the Bird Continent

Speaker: Andre Moncrieff, PhD.

Tuesday, November 14

6:30 p.m. social, 7:00 p.m. program

Community Church Unitarian Universalist, 6690 Fleur de Lis  
(Lakeview).

Andre Moncrieff is a postdoctoral researcher at the Louisiana State University Museum of Natural Science. His interest in birds began at the age of 10 when he received his first bird book. Since then, he has worked on avian research projects varying from nesting ecology of seabirds in Washington State to feeding behavior of macaws in Peru to the evolutionary processes behind speciation of birds in the Amazon Basin. Andre also has a passion for exploring and documenting avian diversity in the most remote areas of the Neotropics where new species can still be found.

The talk will walk through the history of bird species discovery in South America, highlight the contributions of LSU researchers, and discuss where new species might be found. We will also hear about the latest research on bird speciation happening at LSU. Expect lots of photographs of colorful birds and stories of discovery!

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### Potluck Holiday Party

Hosted by Kathleen Crago

**When:** Tuesday, December 12th

**Time:** 7:00 p.m. to 9:00 p.m.

**Location:** De Limon Club House, 801 Rue Dauphine

*Bring your favorite dish or spirits to share and  
join us for some holiday cheer!*

#### Directions and Parking Information:

Enter at 801 Metairie Road, across from PJ'S. This street is Rue St. Ann-stay on Rue St. Ann until you come to the second stop sign. Park in front of the office on St. Ann or at the corners of the condos. The entrance is 801 Rue Dauphine.



## OAS Officers, Board and Committee Chairs

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Peter Yaukey, *Sanctuary  
Committee member,  
Purple Martin Roost Monitoring*

John Nelson, *Wild Bird Rescue*

## Fall 2023 Orleans Audubon Society Field Trips

*Bring binoculars, field guides, bug spray, rain gear, sunscreen and refreshments. Boots and cell phones may be useful. Snacks and drinks are recommended. Contact the trip leader if you have questions. At the discretion of the leader(s) trips will be divided into groups if the number of attendees becomes too large.*

*eBird users: Please share your eBird account email address with the trip leader and the trip leader or designee will keep the trip list to share with participants.*

### **Couturie Forest, City Park - Half Day Trip**

Saturday, September 16

Time: 7:00 a.m.

Location: Meet at the Couturie parking lot on Harrison Ave. just east of the police stables and City Park volunteer house.

Leaders: John Keegan (504) 296-9486, [keeganjohnadam@gmail.com](mailto:keeganjohnadam@gmail.com) and Marcie Blanchard [marcieblanchard@yahoo.com](mailto:marcieblanchard@yahoo.com)

### **Bayou Sauvage National Wildlife Refuge –Half Day Trip**

Saturday, October 7

Time: 8:00 a.m.

Location: Meet at the Ridge Trail, 20876 Chef Menteur Hwy, New Orleans, LA 70129, located on US 90 (Chef Menteur Highway) across from Recovery Road in New Orleans East. Exit I-510, go left on Hwy 90, about 4 miles to the parking area on the left. From here we may go to different parts of refuge depending on migratory conditions.

Leader: Peter Yaukey (504) 400-3286, [pyaukey@uhcno.edu](mailto:pyaukey@uhcno.edu)

### **St. Bernard - Half Day Trip**

Saturday, October 14

Time: 8:00 a.m.

Location: Meet at Walgreen's on the corner of Paris Rd. and Judge Perez in Chalmette.

Leader: Glenn Ousset (504) 495-4284, [gousset@bellsouth.net](mailto:gousset@bellsouth.net)

### **Jean Lafitte National Historical Park and Preserve-Half Day Trip**

Saturday, October 28

Time: 8:00 a.m.

Location: Meet at the Visitors' Center Parking Lot in the Barataria Unit of the park located on Hwy. 45. Follow signs off of the West Bank Exp. for the National Park.

Leader: Wendy Rihner (330) 348-3810, [wrihner@gmail.com](mailto:wrihner@gmail.com)

### **Diamond/Venice –All Day Trip**

Saturday, November 11

Time: 8:00 a.m.

Location: Cross the Crescent City Connection, On Westbank Exp. exit Hwy 23 (Lafayette St/Bell Chase Hwy), drive 5 miles and meet in Breaux Mart parking lot, 7902 LA-23, Belle Chasse, LA 70037, on the right just past the Intersection with Hwy 406 (Woodland Hwy).

Leaders: Joelle Finley and Ken Harris (504) 715-2647, [jjf1946@gmail.com](mailto:jjf1946@gmail.com)

### **Bayou Sauvage National Wildlife Refuge –Half Day Trip**

Saturday, November 18

Time: 8:00 a.m.

Location: Meet at the Ridge Trail, 20876 Chef Menteur Hwy, New Orleans, LA 70129, located on US 90 (Chef Menteur Highway) across from Recovery Road in New Orleans East. Exit I-510, go left on Hwy 90, about 4 miles to the parking area on the left. From here we may go to different parts of refuge depending on migratory conditions.

Leader: Peter Yaukey (504) 400-3286, [pyaukey@uhcno.edu](mailto:pyaukey@uhcno.edu)

## Audubon Park –Half Day Trip

Saturday, December 2

Time: 8:00 a.m.

Location: Meet in the parking lot off Magazine St. (St. Charles side of Magazine) near the golf club house.

Leader: Peter Yaukey (504) 400-3286, [pyaukey@uhcno.edu](mailto:pyaukey@uhcno.edu)

## Fontainebleau State Park–Half Day Trip

Saturday, December 9

Time: 8:00 a.m.

Location: East of Mandeville on Hwy 190. Meet at the large parking lot closest to the lake. \$2.00 entrance fee required.

Leaders: Holly Morales (985) 264-4406, [holly@moralesmusic.com](mailto:holly@moralesmusic.com) and Glenn Ousset (504) 495-4284, [gousset@bellsouth.net](mailto:gousset@bellsouth.net)

## “The Big Sit!”

<https://www.thebigsit.org/> A Worldwide Event originally sponsored by The New Haven Bird Club in 1992.

Bring chairs, drinks and snacks!

Sunday, October 8

Time: 8:00 a.m.-Until

Location: City Park, The Wisner Tract

Contact Mary Joe Krieger for exact location, (504) 258-3396, [maryjkrieger@gmail.com](mailto:maryjkrieger@gmail.com)



## Louisiana Habitat Certification

By Wendy Rihner

Yard certifications like those of the Xerces Society and the National Wildlife Federation are all the rage for backyard habitats, but how about keeping it local?

The Louisiana Certified Habitat program offered by the Louisiana Native Plant Society is a great opportunity for homeowners, businesses, schools or public spaces to have their lands recognized as those that protect and maintain our natural heritage through the use of native plants and gardening practices that encourage wildlife. No yard is too small, and

over 50 properties in the New Orleans area have been certified to date. My yard has been certified through this program. The process could not be easier!

Interested applicants need to go to [lnps.org](http://lnps.org), click on “LCH Program” and find the application to complete. Applications and the \$45.00 fee may be submitted online, or they can be mailed to the address provided. Information is also available on [www.npi-gno.org](http://www.npi-gno.org). Members of the Native Plant Initiative of Greater New Orleans get \$10.00 off of the \$45.00 LCH fee.

Certification is determined by the number of native plant species or the percentage of native plant species on the property. Applicants can apply for one of several levels: **bronze** = 25 native plant species or 25% of property; **silver** = 50 native plant species or 50% of property; **gold** = 75 native plant species or 75% of property. Included in the application is a checklist of commonly planted natives in our area to use as a guide.

Finally, free upgrades are available as properties increase the number of natives planted. If applicants choose, they can have their properties registered on a map that records each certified property.

Should the property not pass the evaluation, however, refunds will be issued. To avoid that from happening, I strongly urge applicants to do their research before applying. If anyone is unsure of whether a plant is native or not, there are good APPs out there to help: iNaturalist, Picture This, Seek (by iNaturalist), or Plant Net just to name a few.

If anyone has questions, email me at [wrihner@gmail.com](mailto:wrihner@gmail.com).

## Swallow-tailed Kite Tagged on TNC's Abita Creek Flatwoods Preserve Demonstrates the Need for Sustainable Forestry



Photo by Joan Garvey

By Jennifer Coulson

OAS is partnering with the paper and timber industries and non-profit organizations to conserve Swallow-tailed Kites on working forests. Emily Jo Williams, ABC's Vice President of the Southeast and Atlantic Coast Region and co-leader of this collaboration, describes the project as follows: "Swallow-tailed Kites are our ambassadors of sustainable forests. Southeastern forests play a unique role in sustaining kite populations – it's a magic mix of private and public lands that keep forests viable at the scale needed for kites and so many other bird species." Project partners include International Paper (IP), American Bird Conservancy (ABC), Avian Research and Conservation Institute (ARCI), The Nature Conservancy of Louisiana (TNC) and the McDaniel Charitable Foundation (MCF). What might seem like an unlikely partnership with IP, because wood fiber is the primary raw material needed to make their products, makes perfect sense, as I will explain.

When I first started studying kites twenty-plus years ago, the presumption among conservationists was that Swallow-tailed Kites needed vast tracts of pristine, forested wetlands. While this presumption remains valid, it's only part of the picture. I discovered from tracking individuals and studying the habitats they used that kites tend to select nest sites and set up home ranges which provide access to a variety of habitats. Dr. Ken Meyer and Gina Kent of ARCI termed this habitat heterogeneity. Most individuals prefer a patchwork of habitats which include not only mature forest patches, ponds and streams, but also pine plantations, tracts of industrial timber, hay fields, and crops. The latter, manmade habitats provide easy opportunities for hunting.

So what is sustainable forestry and how does it conserve kites? Sustainable forestry keeps the land in working forest versus development, helps combat global warming, conserves kite nest sites, and provides generous stream side management zones for wildlife of conservation concern. Promoting sustainable forestry in the U.S. is more challenging than ever because much of the nation's timberlands are now privately owned, making it difficult to coordinate education and certification. IP, which operates the paper mill in Bogalusa, is making great strides toward sustainable forestry with its goal to obtain 100% of its fiber from sustainably managed forests or recovered fiber by 2030.

Our partnership uses a variety of approaches. We hold stakeholder workshops to encourage sustainable forestry practices which benefit birds. The kite nests and roosts we find on working forests (i.e., timberlands destined for wood products) are entered into IP's procurement database so these sites can be conserved during timber sales. I've personally found outreach to landowners to be most rewarding. Owners of working forests tend to be outdoors-type, nature-loving folks who know a lot about wildlife and are eager to learn more. They love their land and are proud of their working forests.

The most exciting feature of this project, and the approach which is allowing us the best picture of how kites use working forests, is tracking kites with GSM-GPS transmitters. These amazing, super-lightweight transmitters use cell-phone towers to relay the location coordinates and other tracking data. The antenna is internal and the unit's battery is powered by a solar panel on top.

On the hot, humid morning of June 22nd, my husband, Tom, Brett Falterman, representing MCF, and I tagged an adult female Swallow-tailed Kite near her two fledglings on TNC's Abita Creek Flatwoods Preserve. The Flatwoods Preserve, a fire-maintained savanna and bayhead swamp, is surrounded by working forest, thus providing the perfect opportunity to see how kites use all of these habitats.

The bulk of the Abita Flatwoods kite's early locations were centered on Jacks Branch and the surrounding savanna within the Preserve, which is what we'd expect from a mother feeding fledglings situated in such rich habitats. Then on four consecutive days, June 23–26, she roosted on working forest lands west of Goodyears Pond. However, on the evening of June 28th she flew east to roost on the Bogue Chitto National Wildlife Refuge near Cow Pen Bend and the East Pearl River. This abrupt change in her roosting sites foreshadowed what happened next.



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On June 29th the Abita Flatwoods kite suddenly left the Flatwoods and headed north. Since her “kids” were now proficient fliers, she probably felt it was time to move on. She visited several known kite areas, including a nesting neighborhood we’d found in a working forest near Fords Creek, MS. She spent the morning of June 30 in a pine plantation before taking off around noon to head north and east. Ten hours later, she stopped in Choctaw County, AL, to rest! On the night of June 30 to July 1 she roosted there in pine plantation along the curiously named Tuckabum Creek. From here she set up a temporary home range along the Alabama River encompassing Perry, Dallas, Lowndes and Montgomery counties, feeding over hay fields and pine plantations. Her fortuitous move to Alabama presented IP with a golden opportunity: Jeremy Poirier, IP’s Fiber Supply Certification & Sustainability Manager and co-project leader, seized the moment by sending the kite’s locations to Greg Swede, who manages IP’s fiber certification and sustainability efforts in Alabama, Mississippi, and Florida. Greg now can target kite outreach efforts to specific forest landowners and wood supplies based on the kite’s locations and movement.

News about the Abita Flatwoods kite’s migration will have to wait, but here’s a little teaser: she left south-central Alabama on July 26 and crossed into Florida on July 27 to roost on a working forest east of the Apalachicola River. Stay tuned for tracking updates posted to the Orleans Audubon Society YouTube channel.

Beginning in 2015, the kite partnership, consisting of ARCI, ABC, IP and others, has been working to conserve kites on working forests in Florida, Georgia, South Carolina, North Carolina, Alabama, Mississippi, Louisiana and Texas. I’m really excited to see OAS join this partnership, which will intensify efforts to conserve kites in Louisiana and Mississippi, focused on the Bogalusa procurement area. In 2023, OAS tagged one kite in Louisiana while ARCI tagged 2 in Georgia and 2 in South Carolina. We have big plans in 2024 and beyond, to locate more nests, tag more kites and use their tracks to conduct a lot more conservation outreach.



April stakeholder workshop with OAS, American Bird Conservancy, International Paper, St. Joseph Abbey, Sassafras Timber and Pellichino Forestry Service.

Pictured: Jason Sebesta, Annabelle Grounds, Jeremy Poirier, Jeremy Richardson, E.J. Williams, Randy Pellichino, Kevin Mizell and Ford Faulk.



Brett Falterman, Jennifer Coulson holding the Abita Flatwoods female and Tom Coulson.



# The Lights Out Program for Neotropical Migrants in Louisiana

by Charles Williams, 2nd V.P., *Louisiana Wildlife Federation*, LWF Avian Conservation Committee

One of the latest initiatives by the Louisiana Wildlife Federation (LWF) and its Avian Conservation Committee is the initiating of a Lights Out program inspired by a successful and longstanding effort in Texas. LWF has a large contingent of birders among its members, including several affiliate National Audubon chapters (including OAS) and independent birding clubs. Several years ago, we formed an Avian Conservation Committee to discuss and address the status of non-game birds that migrate to and from the Neotropics, breeding in Louisiana and elsewhere in the US.

Many birds have noticed declining numbers of many Neotropical migrant species. Rosenberg et al. (2019) concluded that our North American bird populations collectively have fallen by 29% since 1970! The reasons for this shocking statistic are many and vary by species but a significant factor is mortality from bird collisions with buildings. These collisions occur during the night when birds become disoriented by our heavily lit urban areas with bright lights and reflective glass. The lighting, coupled with certain weather conditions such as certain wind speeds and directions and periods of fog and low cloud cover, can create episodes of large bird kills. These major kills are in addition to the “routine” daily kills of a few birds here and there. In one well documented case in 2017, a single office building in Galveston, Texas, killed over 400 birds in a single night.

Conservation biologist, Dr. Erik Johnson of Audubon Delta added, “Collisions don’t just happen at night – a lot of birds, especially migratory birds, are “reorienting” during the early parts of the day, so transparent or reflective glass during the day also creates collision risks. That risk can be addressed by breaking up the reflection into 2x2” or 2x4” squares – using various tapes, dots, screening, etc. – or in some cases can be addressed through awnings and other forms of shading.”

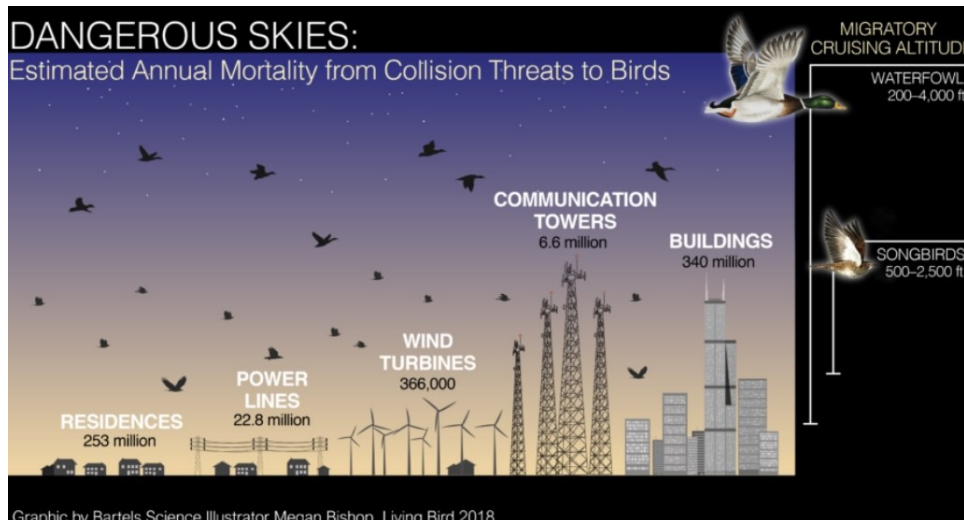
In the big picture of the 29% decline in bird populations, building collisions are estimated to cause between 385 million and a billion bird deaths each year (Sheppard and Lenz 2019). They are believed to be the third largest cause of bird population declines, behind only habitat loss (inclusive of climate change) and predation by cats.

The problem is not confined to large, well-lit office and industrial buildings. My personal residence in a wooded suburban neighborhood in Baton Rouge (Greenwell Springs) has killed several birds in the past ten years, most recently a wood thrush. This is one of the species that has had a dramatic population decline, estimated at 60% during the period when the more general decline was half that. This species is one that the U. S. Fish and Wildlife Service has categorized as being “of conservation concern,” meaning that this species with its incredibly melodious song could be in danger of falling into endangered status if the trend is not reversed.

The bird deaths in Texas prompted several conservation organizations to organize a “Lights Out Texas” campaign designed to darken the landscape during the spring and fall migrations in order to reduce bird deaths. Laura Bush, a life-long birder, was honorary chair of this project which now engages hundreds of Texas birders in the spring and fall, seeking to identify problematical structures in cities and to ask owners/managers to modify their lighting. Other American cities that straddle major migration routes are also initiating campaigns to lower or turn off lights to help stem the carnage, with public buildings leading the way to save both birds’ lives and the wasted energy of excessive night lighting. Campaigns to observe “lights out” generally encourage buildings to darken between 11:00 p.m. and 6:00 a.m. LWF has initiated an effort to create awareness of this problem in Louisiana.

Individuals have a role to play in reducing bird deaths from building collisions. Keep exterior lights off outside your home or in a direct downward orientation as much as possible from 11:00 p.m. to daylight. Turn off interior lights that

are behind large windows near vegetation, water sources, or bird feeders or just close your blinds or curtains. During the day, use of decals of birds of prey can also be helpful if placed on or hanging in front of large windows that have killed birds. If you work in an office building, observe the nighttime lighting of the building. If it appears excessive, talk to the building manager, or ask your boss to do so. In many cases, you’ll find that excessive lighting is either inadvertent or just a bad habit from the days when energy wasn’t as precious as it now is.



Back to the question of the efficacy of individual action. My house has killed at least five birds in the past ten years, including that wood thrush, a species on the conservation concern. There are currently about 125,000 owner-occupied housing units in East Baton Rouge Parish. If my house's kill rate of 0.5 birds per year is assumed for all such units in the parish, the annual death toll at single-family residences before conservation measures is 62,500 individual birds! At our house, we have taken steps toward elimination of this source of bird population decline and we urge others to do so also.

Yes, a bird here ... a bird there ... a small effort by everyone can slow or maybe even turn around the decline in our migratory birds. We ask our members and all Louisiana property owners to join us in a collective effort by embracing "lights out."

For those who wish to delve further into this topic, I recommend the following sources:

LWF's resolution recommending "lights out to save migrating birds".

Summer 2023 issue of *National Wildlife* (National Wildlife Federation) contains an article—"Needing the Night" by J. Snyder Sachs (pp. 22–29) on the problem of "light pollution." In addition to the impact on migrating birds, light pollution has adverse effects on many species including monarch butterflies, bats, sea turtles, and fireflies.

Laura Bush's op-ed piece in the *Dallas Morning News* of March 14, 2021. Mrs. Bush grew up in Midland, Texas, and has been a birder all her life. She was the initial honorary chair of the Texas Lights Out program.

Rosenberg, K. V. et al. (2019). Decline of the North American avifauna. *Science* 366:120–124.

The USFWS's *Birds of Conservation Concern 2021*, a report on species that have suffered disproportionate declines and could fall into "threatened" or even "endangered" status if the trend is not reversed.

Sheppard, C. and B. Lenz (2019). Birds Flying Into Windows? Truths About Birds & Glass Collisions from ABC Experts, March 6, 2019

*Bird Cast* tracking and information.

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## OFFSHORE WIND HITS LOUISIANA

By Andrew Wilson, OAS Conservation Chair

While many areas around the country are still in the planning stages on offshore wind energy initiatives, Louisiana appears poised to launch major efforts on both federal and state levels.

On July 20, 2023, the Department of the Interior (DOI) announced it will hold the first-ever offshore wind energy lease sale in the Gulf of Mexico. The areas to be auctioned by the Bureau of Ocean Energy Management ("BOEM") on August 29, 2023, have the potential to generate approximately 3.7 GW, and power almost 1.3 million homes with clean, renewable energy. The areas to be auctioned include a 102,480-acre area in federal offshore waters 44 miles from the coast south of Lake Charles, Louisiana. DOI plans to deploy 30 gigawatts (GW) of offshore wind energy by 2030 and reach a carbon-free electricity sector by 2035.

Louisiana's federal offshore wind program may not proceed as quickly as many hope. This is because BOEM's federal program along the nation's coasts has progressed cautiously so as to take into account potential environmental impacts from both the construction and operation of the turbines, as well as the deployment of cables on the sea bottom which transmit the generated power to shore based facilities. Because this program constitutes a "major federal action" under the National Environmental Policy Act ("NEPA"), a comprehensive Environmental Impact Statement ("EIS") was performed which resulted in many scientific studies on impacts to marine mammals, fisheries and avian species including both seabirds and migratory birds in many areas along the Atlantic Coast.

Birds can be adversely affected by wind turbines due to: (1) displacement or loss of habitat; (2) barrier effects which can have energetic costs if birds reroute daily movements to foraging grounds or seasonal migratory movements to avoid wind turbines; and, (3) direct injury leading to sublethal impairment or mortality, such as through collision with the turbines. The birds affected include shorebirds as they fly parallel to the coast, seabirds which stay primarily offshore but may pass through wind farms to nest on islands, as well as migratory land bird species which cross the Gulf of Mexico once or twice a year.

As a result of the environmental studies and the preventative measures taken to reduce adverse impacts, it normally requires a seven year process from the initial lease to the Record of Decision from BOEM allowing the project to proceed. As of summer 2023, there are only two operating turbines in federal waters off Virginia, and those are merely experimental in nature. Many other federal offshore wind energy projects are in various planning or approval phases along the coasts of New York, New Jersey, Massachusetts, Maryland and elsewhere.

In contrast, *state* offshore wind programs in some areas are proceeding quickly. The first state-waters wind farm, the Block Island Wind Farm, was built in 2016 off the coast of Rhode Island and has five operating turbines. That project was made possible because Rhode Island had developed a Special Area Management Plan (or "Ocean SAMP") ahead of time which serves as a federally recognized coastal management and regulatory tool. Using the best available science, the Ocean SAMP provides a balanced approach to the development and protection of Rhode Island's ocean-based resources. It should be noted that Louisiana fabrication yards, contractors and lift-boats built much of that farm and should be ready to assist in the Louisiana wind energy efforts.



Meanwhile, on August 10, 2022, in a 6-1 decision, the Ohio Supreme Court ruled in favor of the Icebreaker Wind Project on Lake Erie, affirming that project's state permit was correctly granted, and allowing that project to proceed. Ohio's Icebreaker Wind is a unique wind energy project – the first offshore wind facility in the Great Lakes, the first freshwater wind farm in North America, and only the second state near shore wind project in the entire U.S.

Louisiana is now moving at an even faster pace than Rhode Island and Ohio. The Advocate recently quoted Governor John Bel Edwards as saying, "I believe they can be set up in state waters several years before they would be successful in federal waters." The Advocate also reported that DNR records indicate the state is negotiating offshore wind operating agreements with Mitsubishi-owned Diamond Offshore Wind; Kontiki Winds, a Norwegian company operating in Louisiana under the name Pelican Winds; and the Danish global energy firm Vestas. Other companies are expected to pursue projects in Louisiana as well. As a result, near shore areas are now being considered in state territorial waters of Cameron, Vermilion, St. Mary, Terrebonne and Lafourche Parishes.

This was all made possible because in 2022 the Legislature passed Act 443 sponsored by Representative Jerome Zeringue, which amended and reenacted La. R.S. 41:1732 *et seq.* to implement a formal state wind leasing program. The Act also amended La. R.S. 30:209 to allow the State to enter into "operating agreements" with private entities for wind projects. LDNR then issued a Notice of Intent ("NOI") earlier this year announcing rulemaking for regulations under that Act which will provide guidelines for the wind energy leasing program. But there is trouble in the Sportsman's Paradise.

Unlike the federal programs and the Rhode Island programs which undertook major studies of environmental impacts *before* leasing began, Louisiana is implementing its wind energy program in reverse if not backwards. The State has undertaken few studies to determine the environmental impacts of near shore wind farms but is still preparing to issue leases or enter into operating agreements immediately. More to the point, the State is already negotiating operating agreements with several companies at locations of their choosing which remain undisclosed to the public as do the terms and conditions of the actual agreements. Of particular concern is that there is no indication that there was any consideration of environmental impacts when these companies chose their respective project sites.

If the operating agreement approach becomes the pathway for developing wind in coastal Louisiana, it appears the operating agreements may circumvent the entire competitive bid process. Even more significantly, it appears the operating agreements may circumvent the entire wind lease program and all of its statutory requirements. Indeed, under the operating agreements, LDNR will be administering itself: LDNR will act as landowner; LDNR's Office of Mineral Resources will be the regulator; and LDNR's Office of Coastal Management will issue the CUP Permits to LDNR. It is difficult to see how this situation does not constitute a conflict of interest, and suggests a likely environmental disaster if allowed to proceed.

One of the largest migratory bird flyways in the world passes through the waters off coastal Louisiana and islands. In addition, Louisiana's state waters support the most important seabird nesting areas in the U.S. Although several environmental non-governmental organizations ("ENGO's") strongly support wind energy, they have submitted comments in response to the NOI on the wind energy lease program asking the State to conduct studies, surveys and monitoring using radar, tagging, LIDAR, auditory recordings, satellite imagery, and remote sensing, as well as other technology, so as to select the best locations to construct the wind farms *before* the operating agreements and/or leases issue.

It remains to be seen how the State will address the environmental issues. If the State refuses to undertake serious scientific research to determine appropriate sites from an environmental standpoint beforehand, litigation will likely result during the permitting process, which may bring Louisiana's nascent wind energy program to a dead calm.



Sandor Bobo, *The Providence Journal*

The SE Louisiana Chapter of the  
**National Audubon Society**

Orleans Audubon Society  
3623 Nashville Avenue  
New Orleans, LA 70125



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