



ASSOCIATION of
FISH & WILDLIFE
AGENCIES



COMMUNICATION FRAMEWORK

FOR WIND ENERGY PROJECT PROPONENTS AND STATE FISH AND WILDLIFE AGENCIES

The **Association of Fish and Wildlife Agencies (AFWA)** and **American Clean Power Association (ACP)** recognize the practical value and mutual interest of opening and maintaining lines of communication between wind energy project proponents (i.e., developers, owners, operators, or other project representatives such as biological consultants) and state fish and wildlife agencies. AFWA represents the collective perspectives of **state fish and wildlife agencies (SFWAs)** in all 50 states. These agencies exercise primary statutory authority for management of fish and wildlife as public trust resources within their borders and provide critical scientific expertise and technical guidance on the effects of energy development on species and their habitats. ACP is a trade organization for wind energy project proponents, representing most of the wind energy developed and operated in the United States. Communication between project proponents and SFWAs during wind energy siting and development is a crucial step towards evaluating and addressing the potential effects to species of concern and their associated habitats.

The Communication Framework presented below is not meant to be an all-encompassing solution for every project and every circumstance. Rather, it serves as a guide for early and iterative communication between project proponents (or their representatives) and SFWAs that establishes expectations for the frequency of engagement and the suggested communication triggers. The framework was developed collaboratively by AFWA and ACP members who actively listened, engaged in candid discussions about communication challenges, and sought to create a mutually beneficial and voluntary framework. It is important to note that this framework does not provide a set of rigid steps or instructions, as there is significant variability across SFWAs and project proponents. Instead, it establishes a set of objectives and milestones that can be adapted to guide unique state or project communications.

AFWA and ACP recognize that maintaining effective communication can be difficult due to a variety of factors, both within and beyond the control of project proponent and SFWA representatives. Therefore, both parties share a responsibility to proactively communicate and remain responsive to each other. It is crucial to understand that this framework is a tool for facilitating better communication and building collaborative relationships while allowing flexibility in adoption and implementation by all parties involved.

Finally, this framework is meant to supplement and enhance, not replace, the suggested communications protocol (Table 1) of the U.S. Fish and Wildlife Land Based Wind Energy Guidelines (2012), with a particular focus on communications with the SFWAs. A cornerstone of mutually beneficial communication is the reliance on best available science to inform suggestions, questions, recommendations, and decisions, and mutual commitment to a frequency and depth of iterative communication between the project proponent and the SFWA.

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Tier	Communication Framework Elements	Communication Milestone Triggers
0: Relationship Building	<ul style="list-style-type: none"> When project proponents are new to a state, it is recommended that they contact the SFWA and provide affiliation, contact info, and nature of the proposed development activity. It is further recommended SFWAs provide accurate renewable energy contact information, and for project proponents to communicate turnover within their respective organizations with SFWAs to maintain lines of communication. In establishing a line of communication, project proponents and SFWAs are encouraged to exchange respective expectations for how often to check in with each other (e.g., quarterly, semi-annual, annually) and the preferred method of documenting communications (e.g., meeting notes, email exchange, official correspondence, etc.). Notifications of “no update” will be welcome by SFWAs when project proponents need months or more before resuming coordination. To develop a viable project and address conservation concerns, it is important for the SFWA and project proponent to communicate while the site design is still flexible. In addition, the SFWA and project proponents are encouraged to maintain communication as new data or information relevant to the project’s design becomes available. It will be important to share new data and science with the project proponent to enable educated development decisions. Project proponents and SFWAs are encouraged to discuss confidentiality concerns relating to data and information sharing between parties. Communicating the sensitivity or proprietary nature of the project proponent or SFWA’s data and information will establish distribution parameters between the parties. Project proponents are encouraged to include both SFWAs and local U.S. Fish and Wildlife Service contacts in communications to maintain transparency and to avoid duplicating efforts. Be generous with assumptions; respect the words, intentions, and actions of each party. 	<p>On-going effort; it is recommended to incorporate these elements in all tiers of communication and project development.</p>
1: Preliminary Site Evaluation	<ul style="list-style-type: none"> SFWA has publicly available tools, data, and information to assist project proponents with preliminary site evaluations. SFWAs are encouraged to provide information about SFWA websites related to coordination and renewable energy to AFWA to facilitate an inventory of website resources that may assist project proponents during site evaluations. Project proponents and SFWAs can discuss the availability of additional or more current information and data, and request additional information, as applicable. Project proponents may review prospective development areas or review other information or priorities from prior discussions with the SFWA. To the extent information is not privileged, SFWAs provides the project proponent any specific regional wildlife considerations. In the spirit of establishing mutual expectations and courtesy, SFWAs are encouraged to respond to project proponent inquiries in a timely manner by acknowledging inquiry receipt and, for inquiries that necessitate time to compile a response, an estimated time to respond fully. 	<p>Requests for wildlife and habitat information and data, changes in project ownership, significant changes in Limits of Disturbance (LOD) after preliminary site evaluation studies are complete.</p>
2: Site Characterization	<ul style="list-style-type: none"> Project proponents and SFWAs may want to review Tier 1 information to determine if the project proponent has access to the most comprehensive and current resources to continue to assist with developing a viable project that also addresses conservation concerns. Either party may request or provide additional information, as applicable. When responding to requests for information, SFWA provides information, local biological knowledge, or data that supports cautions, concerns, or suggestions that the SFWA puts forth about potential impacts. Commensurate with the scale of development activity, it is recommended that project proponents update SFWAs of changes in project(s) status relevant to SFWA’s purview or as previously agreed upon in prior communications. Project proponents are encouraged to implement SFWA feedback and to collaborate on the planning efforts of a project (e.g., footprint, layout, access roads, interconnection route, monitoring protocols, etc.), recognizing other land uses and constraints also inform project planning. 	<p>Change in project ownership, LOD, project schedule, completion of wildlife-related site characterization studies, modifications or updates to SFWA’s data, maps, or other planning related information</p>

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3: Field Studies and Impact Prediction	<ul style="list-style-type: none"> Project proponents or their biological consultants are encouraged to review field study approaches and methodologies with SFWAs prior to data collection, including how long surveys are valid. SFWAs and project proponents are encouraged to structure site surveys based on best available science and federal or SFWA published guidance (if available). As project development proceeds, it is recommended that a project proponent notify the SFWA of material changes to project design that may have potential wildlife or habitat implications. Communication triggers, which can be temporal- or milestone-based, should be mutually agreed upon early in the development effort (see Tier 0 and 1). Survey results are shared with SFWA in the manner agreed upon with the SFWA. The SFWA responds to survey results in the manner agreed upon with the project proponent. 	Change in project ownership, footprint or design, project schedule, survey methodology development, interim or final results of field surveys, or project design with wildlife or habitat implications
4: Post Construction Studies	<ul style="list-style-type: none"> Project proponents or their biological consultants are encouraged to review and/or discuss post-construction monitoring (PCM) approaches and methodologies with SFWAs prior to data collection. PCM efforts should be project- and/or landscape-specific and address only those wildlife attributes affected by the project. It may not be necessary that every project would have a statistically robust post-construction mortality monitoring (PCMM) program, except for states that have a PCMM requirement. This should be discussed with each state on a case-by-case basis. Modified or regional approaches for fatality monitoring may be considered; however certain projects may have a more robust monitoring program where additional research is warranted. If a PCMM program is not utilized, an incidental fatality monitoring program should be included in operational plans. A project's PCM results are shared with SFWA in the manner agreed upon with the SFWA. SFWA responds to PCM results in the timeframe and manner agreed upon with the project proponent. 	Commencement of construction, construction delays, completion of construction, or completion of each year of PCM
5: Other Post-Construction Studies and Research	<ul style="list-style-type: none"> In the rare event Tier 5 investigation is deemed appropriate (ref: definition of Tier 5 from WEGs), SFWA and project proponent work together to determine the nature of the studies or research is to conduct. 	



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