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 - Community
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 - Jobs
 - Autos
 - Homes
 - Buy & Sell
 - Visitor Guide
- Las Vegas
 - Neighborhoods
 - Politics
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 - Crime & Courts
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 - Opinion
 - Archives

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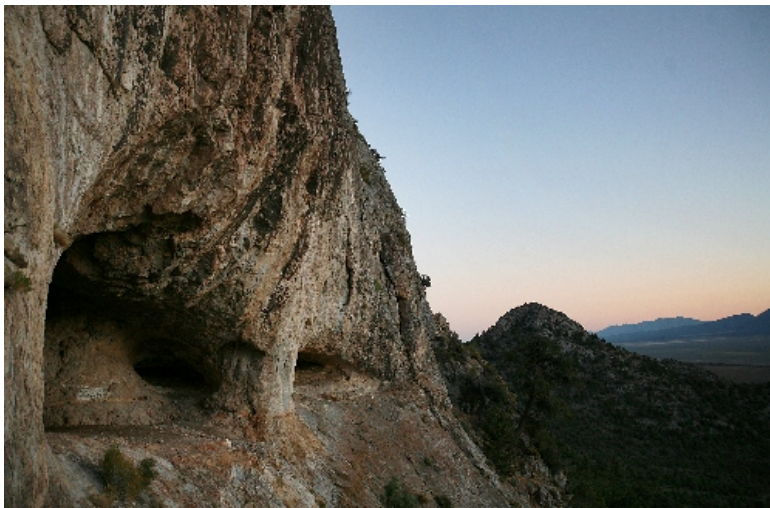
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Nevada forestry officials...

Two-year pumping test ends

Posted January 25, 2011 - 6:07pm

Lawsuit claims BLM approval violated laws



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A federal lawsuit filed Tuesday in Las Vegas claims the Bureau of Land Management violated federal environmental and American Indian cultural laws when the agency approved a wind energy project near Great Basin National Park.

The 36-page complaint states that despite "very significant and unknown environmental and cultural impacts,"



the BLM gave "fast track" approval of the Spring Valley Wind project in White Pine County four miles from a cave where more than 1 million Mexican free-tailed bats roost in the fall, and near the sacred Western Shoshone swamp cedar site where Indians were massacred during the Goshute War of 1863.

environmental analysis required by the National Environmental Policy Act. h-level BLM officials and the industry proponent, BLM rushed through a short-trary funding deadlines desired by the industry," according to the lawsuit filed by gical Diversity, the Western Watershed Project, the Ely Shoshone Tribe, the Duckwater Shoshone Tribe and the Confederated Tribes of the Goshute Reservation.

.M from allowing Spring Valley Wind to go forward with "ground-clearing, site preparation and wind tower construction until such time as BLM has fully complied with law."

In addition, the plaintiffs ask the U.S. District Court to strike BLM's Oct. 15 decision to approve the 75-turbine Spring Valley Wind project on public land northwest of Great Basin National Park.

Rob Mrowka, an ecologist with the Center for Biological Diversity, said that while renewable energy is globally important for addressing threats of climate change, such projects "must be properly located with careful consideration of the values of not only the site but also of the surrounding area."

The lawsuit claims the project's "industrial sprawl would likewise impair many other on-site and migratory native wildlife species including greater sage grouse and raptors."

A spokeswoman for the BLM's state office in Reno who was sent a copy of the complaint said the BLM can't comment on litigation.

George Hardie, project manager for Pattern Energy, the parent company of Spring Valley Wind, said in an e-mail, however, that he is disappointed the lawsuit was filed but confident it will be dismissed because in his view, "if the Spring Valley project is not environmentally acceptable, then no project in Nevada will ever be acceptable."

"Pattern Energy and the BLM have worked extremely hard to make the Spring Valley wind project as environmentally benign as possible," Hardie wrote in the

e-mail.

He said the project "has put in place the most extensive and forward looking mitigation and adaptive management plan ever devised for any wind energy project in the United States to minimize the impact to wildlife and the environment. In fact, our mitigation and adaptive management plans for bats, sage grouse and other avian species were all designed with the full input and ultimate concurrence of both the Nevada Department of Wildlife and the U.S. Fish and Wildlife Service."

Biologists think as many as 3 million Mexican free-tailed bats roost for one to three days in Rose Cave across from the planned wind farm during their southern migration. Because of the location, they fear that many of the 2,000 bats per minute that leave the cave might either collide with wind turbines, or suffer from deadly "barotrauma," the rapid expansion of an animal's lungs from a sudden change in barometric pressure at the trailing edge of a rotor blade.

Meanwhile, they are trying to use "Star Wars" technology, such as thermal imaging scopes, infrared optics and marine-grade radar to keep bats from tangling with wind turbines by detecting when they leave the cave and triggering a slow-down of turbine blades if they approach them.

The lawsuit notes that the project was approved over concerns from the National Park Service and biologists from the U.S. Fish and Wildlife Service and the Nevada Department of Wildlife.

Contact reporter Keith Rogers at krogers@reviewjournal.com or 702-383-0308.

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