



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Pacific Southwest Region
2800 Cottage Way, Suite W-2606
Sacramento, California 95825

In Response Reply To:
FWS/R8/MB

JUN 05 2019

Humboldt Wind Project Planner
County of Humboldt
Planning and Building Department, Planning Division
3015 H Street, Eureka, CA 95501
CEQAResponses@co.humboldt.ca.us

Dear Planner,

The US Fish and Wildlife Service (Service) is providing these comments on the Draft Environmental Impact Report (EIR) for the Humboldt Wind Project pursuant to our responsibilities to manage for stable or increasing populations of bald and golden eagles under the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d; Eagle Act). Collisions with operating wind turbines is a common cause of mortality for both of these species. According to the Draft EIR, active golden eagle nesting territories were identified within 2 miles of proposed turbines in 2018, and bald eagles were observed along the Eel River corridor near the project area.

F2-1

As noted in the Draft EIR, the Service has developed permitting regulations under the Eagle Act that allow us to issue permits for take of eagles, and national guidance to help potential applicants through the process of evaluating their risk and applying for a permit. Our guidance document recommends early communication with the Service to facilitate sharing of additional information relevant to assessing the risk of a wind energy project to eagles and other wildlife, to avoid, minimize, and mitigate adverse impacts to wildlife species protected under federal laws. Our Eagle Conservation Plan Guidance is available online:

<http://www.fws.gov/windenergy/pdf/Eagle%20Conservation%20Plan%20Guidance-Module%201.pdf>.

The Service met with Terra-Gen Development Company, LLC (Project Developer) and their consultant (Stantec Consulting Services) in February 2018 to discuss available information in the proposed project area, and the Eagle Act permit process. The Project Developer provided a draft biological resource work plan that included their plans for additional surveys for eagles and other migratory birds in 2018 and 2019. We plan to complete the eagle risk assessment, once the final survey reports are provided to the Service. However, based on eagle use data presented in the Draft EIR and the proximity of the project to occupied eagle territories we anticipate that take of eagles is likely during the 30 year lifespan of the project.

F2-2

We appreciate Humboldt County including proposed measures in the 2019 Draft EIR to ensure compliance with the Eagle Act prior to construction of the project. The Draft EIR also includes proposed measures for mitigation and mortality monitoring for eagles. Once we have estimated the anticipated amount of take, we will work with the Project Developer to determine the mitigation and monitoring requirements that would be necessary to obtain an Eagle Act take permit. Our 2016 Eagle Act permit regulations also require adaptive management to minimize take of eagles.

We look forward to working with your Planning Department on the Humboldt Wind Project and other proposed wind projects in the future. If you have any questions regarding this letter or the Service's Eagle Act permitting regulations or processes, please contact Heather Beeler, Eagle Permits Specialist at heather_beeler@fws.gov or by phone at 916-414-6651.

F2-2
(Cont.)

Sincerely,



Chief, Migratory Birds Program and California Condor
Coordinator

cc: Dan Everson, USFWS, Arcata, California
Shawn Fresz, CDFW, Eureka, California