



Department of Justice

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PRESS RELEASE

On July 10, 2009, PacifiCorp, doing business in Wyoming as Rocky Mountain Power, appeared before United States Magistrate Judge Michael Shickich and entered a guilty plea to an information charging it with thirty-four separate violations of the Migratory Bird Treaty Act, 16 U.S.C. §§ 701, 707(a), which makes it unlawful for anyone to take (or kill) a migratory bird, including eagles and other large birds of prey.

The investigation that led to these charges was conducted by the United States Fish & Wildlife Service, in 2007 and 2008, and focused on the electrocution of eagles and other large birds of prey by electrical distribution and transmission facilities owned and operated by PacifiCorp in the State of Wyoming. Eagles and other large raptors can be electrocuted on transmission and distribution facilities when those facilities are not made safe through the adoption of certain readily available protective measures on power poles. As reported by PacifiCorp, since 2007, at least 232 golden eagles, 46 hawks and 59 owls, along with 193 other migratory birds, were electrocuted on PacifiCorp facilities. These mortalities were principally focused in Sweetwater, Washakie, Hot Springs, Park, Converse, and Natrona Counties in Wyoming.

As a result of its guilty plea to these charges, PacifiCorp was ordered to pay a fine in the amount of \$510,000, and to pay restitution in the additional amount of \$900,000. This restitution amount will be used to support research and conservation of golden eagles and other birds of prey in Wyoming, Utah, Idaho and Montana by the National Fish & Wildlife Foundation, Hawk Watch International, the Wildlife Heritage Foundation of Wyoming, the Native American Fish & Wildlife Society, and the Murie Audubon Society of Casper, Wyoming.

In addition, during a term of probation for five years, PacifiCorp will expend a minimum of \$9.1 million in implementing an avian protection plan for the State of Wyoming, the purpose of which is to substantially reduce eagle electrocution mortalities in Wyoming through the retro-fitting and modernizing of PacifiCorp's electrical distribution and transmission system.

Since the government's investigation became known to PacifiCorp, the company has fully cooperated with the Fish & Wildlife Service in the completion of its investigation in this case. In addition, during 2009, PacifiCorp has completed an acceptable avian protection plan for Wyoming, and it has spent over \$2 million in 2008 on avian protection and in excess of \$2.7 million in beginning the plan's implementation. In 2008, PacifiCorp retrofitted over 2,700 poles in Wyoming to prevent future bird electrocutions. This year, PacifiCorp is planning to retrofit an additional 5,000 poles in Wyoming, with work currently in progress.

In regard to the successful prosecution of PacifiCorp in this case, United States Attorney Kelly Rankin said, "For a number of years, PacifiCorp failed to take adequate steps to reduce golden eagle and other migratory bird mortalities across Wyoming. We are confident that this plea agreement will ensure that they will now dedicate the necessary resources, science and technology to dramatically reduce electrocution mortalities at their facilities."