United States Department of the Interior

FISH AND WILDLIFE SERVICE
1875 Century Boulevard
Atlanta, Georgia 30345

In Reply Refer To:
FWS/R4/ES

OCT 18 2013

By Overnight Service

Victor González, President
San Francisco Wind Farm LLC
206 San Francisco Street
San Juan, Puerto Rico 00901

Dear Mr. González:

The Fish and Wildlife Service (Service) encloses with this letter the amended Incidental Take Permit (ITP), TE104073-3, in accordance with the Endangered Species Act of 1973, as amended. Issuance of this ITP effectively lifts the Service's February 2, 2012, partial suspension of the previous ITP in accordance with 50 C.F.R. § 13.27(a) and (b). In addition to the species covered by the original ITP, i.e., the Puerto Rican nightjar, brown pelican, and roseate tern, the ITP now authorizes take of the Puerto Rican crested toad incidental to construction and operation of a commercial wind-energy project (project) in Guayanilla, Puerto Rico.

San Francisco Wind Farm's (SFWF) amendment of the associated habitat conservation plan (HCP) to include the Puerto Rican crested toad resolves one of the deficiencies that led to the Service's November 2, 2011, proposal to partially suspend the ITP. The decision to partially suspend the ITP also was based on SFWF's clearing of habitats within the project area in excess of authorized amounts. The ITP includes remedial measures, which, if strictly adhered to and implemented, would restore the affected habitats and resolve the remaining deficiencies identified in the proposal to partially suspend.

The continued validity of the ITP will depend upon SFWF's strict compliance with the ITP and HCP. The Service retains authority, pursuant to 50 C.F.R. §§ 13.27 and 13.28, to suspend and/or revoke the ITP in the future upon failed compliance and the discovery of grounds that warrant such actions. Please be mindful that, except as otherwise provided in the ITP, <u>any</u> variation in the project plans and processes set forth in the HCP and ITP requires both coordination with and the prior written concurrence of the Caribbean Ecological Services Field Office.

If you need additional information or have any questions, please contact Edwin Muniz, Field Supervisor, Caribbean Ecological Services Field Office, at 787/851-7297, extension 204.

Sincerely yours,

Mike Oetker
Deputy Regional Director

Enclosure