

News Release



Pacific Southwest Region

2800 Cottage Way, Suite W-2606

Sacramento, CA 95825

Tel: 916-414-6464; Fax 916-414-6486

<http://fws.gov/cno>

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Contact: Scott Flaherty 916-978-6156

scott_flaherty@fws.gov

Service to Issue First Programmatic Eagle Take Permit, Ensure Long-Term Health of Eagles Around California's Shiloh IV Wind Project

Permit Sets precedent in Balancing Renewable Energy Needs with Eagle Conservation

Sacramento - The U.S. Fish and Wildlife Service will issue a five-year permit for the take of golden eagles to the Shiloh IV Wind Project LLC, a subsidiary of EDF Renewable Energy, in Solano County, California. The permit, the first of its kind, requires the company to engage in conservation measures that protect the local population of golden eagles while providing greater regulatory certainty for the company.

A notice of availability of the Service's Finding of No Significant Impact (FONSI), Final Environmental Assessment (FEA) and response to public comments on the draft environmental assessment will be published in tomorrow's *Federal Register*. Thirty days after publication, the Service will issue the programmatic eagle permit to Shiloh IV.

The 102-megawatt, 50-turbine Shiloh IV project operates on a 3,500-acre site near Rio Vista, California. In its permit application, EDF Renewable Energy provided an Eagle Conservation Plan that describes measures the company will implement to avoid, minimize and mitigate the project's impacts to eagles. The plan was prepared in close coordination with the Service using eagle conservation guidelines developed for the wind energy industry. The company also provided a strategy to conserve bats and other migratory birds.

"The Shiloh IV eagle permit sets a precedent for proactive and collaborative eagle conservation at wind farms in northern California and beyond, and we commend EDF Renewable Energy for taking this critical step," said Service Director Dan Ashe. "We encourage other wind-power developers in the region to follow this model to reduce overall eagle mortality at wind farms while reducing their risk of prosecution for the take of eagles, particularly as they repower their developments with newer turbines. We can't solve the problem of eagle mortality at wind farms overnight, but this commonsense solution merits the support of all who advocate for the long-term conservation of eagles."

Under the Bald and Golden Eagle Protection Act (Eagle Act), the Service can issue eagle permits to entities whose otherwise-lawful activities may result in take of eagles that is unintentional and incidental. "Take"

means to pursue, shoot, poison, wound, kill, capture, trap, collect, destroy, molest or disturb eagles, their nests or their eggs. Congress sanctioned the eagle permit process as an incentive-based mechanism that provides overall conservation benefits to eagles and, in return, grants developers and other potential permittees a degree of legal and financial certainty.

Under the terms of this permit, EDF Renewable Energy will take steps to avoid and minimize, to the greatest extent possible the potential harm to golden eagles, and then offset any expected unavoidable impacts through the implementation of significant conservation measures.

The Service determined that, if these steps are taken, the wind project will result in no net loss of eagle populations in the area, and accordingly, will grant a permit to Shiloh IV Wind Project LCC for the take of up to five golden eagles over a five-year period. The wind project will help California meet its goal of producing 33 percent of its energy from renewable sources by 2020.

Wind energy companies are not required to have an eagle take permit. However, companies operating without one risk federal penalties, including criminal prosecution, under the Eagle Act for any unauthorized take of eagles. The Service uses enforcement as a last resort, preferring to work collaboratively with wind energy developers in the same way it does with other energy sectors to minimize risk to eagles and ensure the long-term health of eagle populations through the issuance of take permits.

The full text of the FEA is available at: <http://www.fws.gov/cno/conservation/migratorybirds.html>

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