



"Eiseman, Thomas J
-FS"
<teiseman@fs.fed.us>

10/02/2012 04:18 PM

To: "midwestwindhcp@fws.gov" <midwestwindhcp@fws.gov>
cc: "Piehler, Kirk G -FS" <kpiehler@fs.fed.us>
Subject: FiSH & WILD LIFE MSHCP LTR.

Kirk,

The drafts correspondence database is not currently working. Plan B: send via email. The signed hardcopy original is in the mail addressed to Mike Amidon.

Thomas J. Eiseman, Executive Assistant
Hiawatha National Forest
820 Rains Drive
Gladstone, MI 49837
Office: **906.428.5847**
Fax: 906-428-9030

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email immediately. Final NR NOI NewsRelease.pdf F&W_Service_Rick_Amidon.doc FederalRegisterNotice.pdf



File Code: 2670

Date: October 1, 2012

Mr. Rick Amidon
U.S. Fish & Wildlife Service
Ecological Services
5600 American Blvd., West, Suite 990
Bloomington, MN 55437-1458

Re: NOI Midwest Wind Energy Multi-Species Conservation Plan (MSHCP)

Dear Mr. Amidon,

We are interested in the long-term conservation of listed species that could be affected by wind facilities should they be placed on or near the Hiawatha National Forest. On lands we manage in the Upper Peninsula of Michigan, several of the species listed as to be included in the MSHCP, are present. Piping plover and Kirtland's warbler are breeding season residents on the forest. Little brown bat and northern long-eared bat also occur within the forest boundaries. While we do not have specific information at this time, we would appreciate the opportunity to comment or provide data during appropriate times during the development of the MSHCP.

If you have questions or require additional information, please contact Kirk Piehler, Wildlife Program Manager, at 906.458.5874.

Sincerely,

/s/ Jo Reyer
JO REYER
Forest Supervisor

Enclosures

cc: Kirk G Piehler
midwestwindhpc





United States Department of the Interior

FISH AND WILDLIFE SERVICE

East Lansing Field Office (ES)
2651 Coolidge Road, Suite 101
East Lansing, Michigan 48823-6316

IN REPLY REFER TO:

August 31, 2012

Dear Interested Party,

On August 30, 2012, the U.S. Fish and Wildlife Service (Service) published a Notice of Intent in the Federal Register to work with our partners to begin development of the Midwest Wind Energy Multi-Species Habitat Conservation Plan (MSHCP) for all or parts of the eight states in the Service's Midwest Region (Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio and Wisconsin).

Partners in this effort include the Service, the conservation agencies for the eight states, The Conservation Fund, and the American Wind Energy Association (AWEA). AWEA is representing a consortium of wind energy companies.

The MSHCP will include measures for the long-term conservation of the proposed covered species that could be affected by wind facilities in the eight states. The covered species will include the Indiana bat, gray bat, piping plover, interior least tern, and Kirtland's warbler. This MSHCP will also include species that may become listed in the future, including the little brown bat, northern long-eared bat and eastern small-footed bat. The bald eagle may also be included as a covered species. The final list of covered species has yet to be determined.

The HCP is required under the Endangered Species Act in order for the companies to apply for a Service incidental take permit to exempt an otherwise lawful activity (construction and/or operation of wind energy facilities) from the prohibition of take under the Endangered Species Act. Take, under the Act, means harming, harassing, or killing endangered or threatened species.

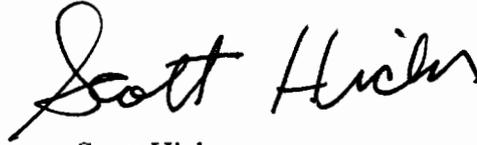
Covered activities under the MSHCP include the siting, construction, operation, maintenance and decommissioning of small- and large-scale wind energy facilities within all or portions of the eight-state planning area. Management of mitigation lands would also be a covered activity under the plan. Existing facilities may also be included.

Under the National Environment Protection Act, the Service anticipates preparation of an Environmental Impact Statement (EIS) for the proposed HCP. Preparation of the EIS would begin sometime in the future after substantial progress has been made on the MSHCP.

The Service is requesting information and comment concerning the planning process, permitting approach, biological aspects of the interaction of wind facilities and species, scientific data that may help inform the MSHCP or monitoring of impacts, and any other information that interested parties would like to offer. Comments may be mailed to: Regional Director, Attn: Rick Amidon, U.S. Fish and Wildlife Service, Ecological Services, 5600 American Blvd. West, Suite 990, Bloomington, MN 55437-1458; faxed to: 612/713-5292 (Attn: Rick Amidon); or e-mailed to: midwestwindhcp@fws.gov. Deadline for receiving comments is October 1.

More information on this habitat conservation plan can be found at www.fws.gov/midwest/endangered.

Sincerely,

A handwritten signature in black ink that reads "Scott Hicks". The signature is written in a cursive style with a large initial "S" and a long horizontal stroke at the end.

Scott Hicks
Field Supervisor

Enclosures

News Release
August 29, 2012

Georgia Parham 812-334-4261 x 1203
Georgia_Parham@fws.gov

U.S. Fish and Wildlife Service seeks public input to conserve endangered species in the Midwest while encouraging clean energy

The U.S. Fish and Wildlife Service is leading development of a Habitat Conservation Plan for the Midwest that will conserve endangered species, promote development of clean energy which in turn will reduce atmospheric carbon dioxide. Partners in the development of this plan are eight Midwestern states, the American Wind Energy Association, representing a consortium of wind energy companies, and The Conservation Fund. The Service is asking the public to help identify issues that are important to them as the plan is developed. The incidental take permit(s) will cover participating wind energy facilities in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio and Wisconsin.

While it is well known that some species of bats are particularly vulnerable to striking turbines at wind energy facilities, the purpose of the plan is to develop conservation measures such as siting of turbines or facilities, minimizing adverse effects from construction and operations, and mitigation of adverse impacts through the development of a strategic mitigation strategy for the long-term conservation of species. The Endangered Species Act makes it illegal to “take” – harm, harass or kill -- animals on the Endangered Species List; therefore a permit is needed if take is expected to happen. The proposed plan is required to obtain an incidental take permit(s) for participating wind energy facilities in the Midwest.

The specific lands that will be included in the plan have yet to be determined and could be all or portions of the eight states. Federally endangered species that could potentially be taken by wind energy facilities include the Indiana bat, gray bat, piping plover, interior least tern and Kirtland’s warbler. This plan can also include species that may become endangered or threatened in the future, such as the little brown bat, northern long-eared bat and eastern small-footed bat. The bald eagle, which is no longer endangered but remains protected, may also be covered by the plan. The final list of species to be included has yet to be determined.

This effort began in 2009 when the eight Midwestern states applied for and received a grant to develop the plan. In the grant application, the states envisioned that the plan would be developed as an umbrella plan and the Service would issue individual incidental take permits to applicants that agree to implement the measures outlined in the plan. There are additional permitting structures being considered, including a master permit holder approach.

The Service is requesting information and comment concerning the planning process, permitting approach, the interaction of wind facilities and species, scientific data that may help inform the plan or monitoring of impacts, and any other information that interested parties would like to offer. Comments may be mailed to: Regional Director, Attn: Rick Amidon, U.S. Fish and Wildlife Service, Ecological Services, 5600 American Blvd. West, Suite 990, Bloomington, MN

55437-1458; faxed to: 612/713-5292 (Attn: Rick Amidon); or E-mailed to: midwestwindhcp@fws.gov Deadline for receiving comments is October 1.

More information on habitat conservation plans and endangered wildlife can be found at www.fws.gov/midwest/endangered Information about the role that the Service plays in wind energy development and the impacts of wind energy development on wildlife can be found at www.fws.gov/midwest/wind

The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect and enhance fish, wildlife, plants and their habitats for the continuing benefit of the American people. We are both a leader and trusted partner in fish and wildlife conservation, known for our scientific excellence, stewardship of lands and natural resources, dedicated professionals and commitment to public service. For more information on our work and the people who make it happen, visit www.fws.gov.

Tuesday, October 30, 2012 in Washington, DC. The theme for the 2012 East Coast Trade Symposium will be "Expanding 21st Century Global Partnerships." The format of this year's East Coast Symposium will be held with general sessions and breakout sessions. Discussions will be held regarding CBP's role in international trade initiatives and partnerships.

The agenda for the 2012 East Coast Trade Symposium and the keynote speakers will be announced at a later date on the CBP Web site (<http://www.cbp.gov>). The registration fee is \$151.00 per person. Interested parties are requested to register early, as space is limited. Registration will open to the public on or about Wednesday, August 29, 2012. All registrations must be made on-line at the CBP Web site (<http://www.cbp.gov>) and will be confirmed with payment by credit card only.

Due to the overwhelming interest to attend past symposiums, each company is requested to limit their company's registrations to no more than three participants, in order to afford equal representation from all members of the international trade community. If a company exceeds the limitation, any additional names submitted for registration will automatically be placed on the waiting list.

As an alternative to on-site attendance, access to live webcasting of the event will be available for a fee of \$131.00. This includes the broadcast and historical access to recorded sessions for a period of time after the event.

Hotel accommodations will be announced at a later date on the CBP Web site (<http://www.cbp.gov>).

Dated: August 24, 2012.

Mindy J. Wallace,
Senior Management and Program Analyst,
Office of Trade Relations.

[FR Doc. 2012-21379 Filed 8-29-12; 8:45 am]

BILLING CODE 9111-14-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R3-ES-2012-N179;
FXES1120300000F2-123-FF03E00000]

Draft Midwest Wind Energy Multi-Species Habitat Conservation Plan Within Eight-State Planning Area

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent, request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), advise the

public that we, in coordination with our planning partners, intend to prepare the Midwest Wind Energy Multi-Species Habitat Conservation Plan (MSHCP) under the Endangered Species Act of 1973, as amended (ESA). The planning partners are currently considering for inclusion in the MSHCP certain species that are federally listed, as well as other species likely to become listed, within the eight-State planning area. Planning partners in this effort include the conservation agencies for the eight states, The Conservation Fund, and the American Wind Energy Association (AWEA). We provide this notice to (1) Describe the proposal; (2) advise other Federal and State agencies, potentially affected tribal interests, and the public of our intent to prepare the MSHCP; (3) seek public input, suggestions, and information on any issues pertaining to this planning process; (4) and to seek public input on what the permit area should be within the eight-State planning area.

DATES: To ensure consideration, we request written comments on or before October 1, 2012.

ADDRESSES: Send your comments or request information by any one of the following methods:

U.S. Mail: Regional Director, Attn: Rick Amidon, U.S. Fish and Wildlife Service, Ecological Services, 5600 American Blvd. West, Suite 990, Bloomington, MN 55437-1458;
Facsimile: 612/713-5292 (Attn: Rick Amidon); or
Email: midwestwindhcp@fws.gov.

FOR FURTHER INFORMATION CONTACT: Rick Amidon, (612) 713-5164.

SUPPLEMENTARY INFORMATION: Section 9 of the ESA (16 U.S.C. 1538) and its implementing regulations prohibit take of species listed as endangered or threatened. The definition of take under the ESA includes to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed species or to attempt to engage in such conduct" (16 U.S.C. 1532(19)). Section 10 of the ESA (16 U.S.C. 1539) establishes a program whereby persons seeking to pursue activities that are otherwise legal, but could result in take of federally protected species, may receive an incidental take permit (ITP).

Covered Land

The planning area encompasses the Midwest Region of the Service and includes all or portions of the following eight States: Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. The specific land that the MSHCP will cover ("covered land or permit area") have yet to be determined

and could be all or portions of the eight States. Once identified, the "covered land" will be the general locations where future ITPs could be issued under the MSHCP. Land not identified as "covered land" will not be eligible for an ITP under this planning effort; however, individual take authorizations could be developed for those areas outside of this planning effort.

Covered Activities

The activities proposed to be covered ("covered activities") under the MSHCP include the siting, construction, operation, maintenance, and decommissioning of wind energy facilities within all or portions of the eight-State planning area. Activities associated with the management of mitigation land would also be covered. We anticipate that this MSHCP will include new and existing small-scale wind energy facilities, such as single-turbine demonstration projects, as well as large, multi-turbine commercial wind facilities.

Covered Species

The planning partners are currently considering, for inclusion in the MSHCP, certain species that are federally listed or likely to become listed, and have the potential to be taken by wind energy facilities within the planning area. Those "covered species" include the endangered Indiana bat (*Myotis sodalis*), the endangered gray bat (*Myotis grisescens*), the endangered piping plover (*Charadrius melodus*), the endangered interior least tern (*Sternula antillarum athalassos*), the endangered Kirtland's warbler (*Setophaga kirtlandii*), the little brown bat (*Myotis lucifugus*), the northern-long eared bat (*Myotis septentrionalis*), and the eastern small-footed bat (*Myotis leibii*), all of which are species of concern. The bald eagle (*Haliaeetus leucocephalus*) is also being considered as a "covered species," but no decision has been made at this time. The final list of "covered species" may include all these species, a subset of these species, or additional species, based on the outcome of the planning process. The MSHCP will be multifaceted in addressing species protection, including, but not limited to, avoidance, minimization of take (e.g., through proven and defined best management practices), and mitigation to offset the impacts of take through potential habitat preservation, restoration, and enhancement. Future applicants seeking an ITP must also ensure that adequate funding for implementation, including biological and compliance monitoring, is provided.

Partners

The eight State conservation agencies participating in the development of this MSHCP are the Illinois Department of Natural Resources, Indiana Division of Fish and Wildlife, Iowa Department of Natural Resources, Michigan Department of Natural Resources, Minnesota Department of Natural Resources, Missouri Department of Conservation, Ohio Department of Natural Resources, and Wisconsin Department of Natural Resources.

AWEA is a national trade association for the wind industry and is representing the interests of a group of wind energy companies in the development of this MSHCP. This consortium of companies is known as the Wind Energy Bat Action Team (WEBAT). Member companies at this time include Acciona Wind Energy; Akuo Energy USA; Apex Wind Energy; BP Wind Energy; Clipper Windpower Development Company, LLC; Duke Energy Renewables; EDP Renewables; Element Power; enXco; E.ON Climate & Renewables; EverPower Wind Holdings, Inc.; Iberdrola Renewables; Invenergy LLC; NextEra Energy Resources; Nordex USA; Tradewind Energy LLC; US Mainstream Renewable Power; and Wind Capital Group.

The Conservation Fund is a nonprofit organization headquartered in Arlington, Virginia, with offices throughout the United States. The Conservation Fund would serve as the administrative agent on behalf of the States overseeing the development of the MSHCP and the accompanying environmental impact statement (EIS). Moreover, The Conservation Fund would develop a regional framework of conservation lands to be used as a decision support tool for the selection of appropriate mitigation options required for offsetting incidental take of the "covered species".

MSHCP Structure

In 2009, the eight States that make up the planning area submitted an application for and were awarded a grant under Section 6 of the ESA (16 U.S.C. 1535) to develop the MSHCP and an incidental take permitting program. The States' grant application envisioned that the MSHCP would be developed as a template/umbrella MSHCP or as a programmatic MSHCP. Under the template approach, the Service would issue individual ITPs to applicants that agree to implement the MSHCP, whereas under the programmatic approach, each State agency would apply for and receive an ITP and would issue certificates of inclusion to wind

energy companies that agreed to implement the MSHCP at their facility. At this time it is anticipated that the issuance of individual ITPs would be the permitting approach under this MSHCP. Currently there are additional permit structure options being considered; however, under any permit structure, the MSHCP would meet all ITP issuance criteria found at 50 CFR 13.21, 17.22(b), and 17.32(b), and would be evaluated under the National Environmental Policy Act (NEPA) and Section 7 of the ESA (16 U.S.C. 1536). The partners envision that under any permit approach, no additional NEPA or Section 7 analysis would occur, and "No Surprises" assurances would apply to the MSHCP. Evaluation of the MSHCP and permitting program would include public review by all interested parties. In the event that the MSHCP might need to be amended in the future (e.g., to add a species or consider an activity not previously evaluated), further public review would occur.

Public Comments

The Service is requesting information and comment from interested government agencies, Native American Tribes, the scientific community, industry, or other interested parties concerning the planning process, our permitting approach, biological aspects of the interaction of wind facilities and species, scientific data that may help inform the MSHCP or monitoring of impacts, and any other information that interested parties would like to offer.

Please note that comments merely stating support for, or opposition to, the MSHCP under consideration without providing supporting information, although noted, will not provide information useful in determining relevant issues and impacts. The public will receive additional opportunity to provide comments on the draft EIS and draft MSHCP when they are completed. The Service will solicit comments by publishing notice in the **Federal Register**.

You may submit your comments and supporting documentation by any of the methods described in **ADDRESSES**, above.

National Environmental Policy Act

The Service is responsible for ensuring NEPA (42 U.S.C. 4321 *et seq.*) compliance during the MSHCP process. In compliance with NEPA, we have made an initial determination that the proposed issuance of ITPs under this planning effort will require the development of an EIS. A third-party contractor will be selected in the future to work with the Service and the planning partners to develop an EIS that

will satisfy all NEPA requirements. Subsequent notice will be provided when the planning process has progressed to the point where scoping under NEPA is appropriate.

Dated: August 17, 2012.

Terence J. Miller,

*Acting, Assistant Regional Director,
Ecological Services, Midwest Region.*

[FR Doc. 2012-21498 Filed 8-29-12; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R4-ES-2012-N202; 40120-1112-0000-F2]

Programmatic Incidental Take Permit and Environmental Assessment for Development Activities, Perdido Key, Escambia County, FL

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: Under the Endangered Species Act (Act), we, the U.S. Fish and Wildlife Service, announce the receipt and availability of a proposed habitat conservation plan (HCP) and accompanying documents for private development projects and municipal infrastructure improvements (activities) regulated or authorized by the Escambia County Board of Commissioners (Applicant). The activities would result in take of six federally-listed species on Perdido Key in Escambia County, Florida. The HCP analyzes the take incidental to activities conducted or permitted by the Applicant. We invite public comments on these documents.

DATES: We must receive any written comments at our Regional Office (see **ADDRESSES**) on or before October 29, 2012.

ADDRESSES: Documents are available for public inspection by appointment during normal business hours at the Fish and Wildlife Service's Regional Office, 1875 Century Boulevard, Suite 200, Atlanta, GA 30345; or the Panama City Field Office, Fish and Wildlife Service, 1601 Balboa Avenue, Panama City, FL 32405.

FOR FURTHER INFORMATION CONTACT: Mr. David Dell, Regional HCP Coordinator, (see **ADDRESSES**), telephone: 404-679-7313; or Mr. Jon Hemming, Field Office Project Manager, at the Panama City Field Office (see **ADDRESSES**), telephone: 850-769-0552, ext. 238.

SUPPLEMENTARY INFORMATION: We announce the availability of the proposed HCP, accompanying