Finding of No Significant Impact

for the Issuance of an Eagle Disturbance Take Specific Permit
for the Plumas-Sierra Rural Electric Cooperative Project

California

May 2024

U.S. Fish and Wildlife Service
U.S. Department of the Interior
2800 Cottage Way, Suite W-2606, Sacramento, CA 95825
Contact: fw8_eaglepermits@fws.gov

Introduction

The U.S. Fish and Wildlife Service (Service) received an application from Plumas-Sierra Rural Electric Cooperative (Applicant) requesting eagle take coverage under the Bald and Golden Eagle Protection Act (Eagle Act) (16 U.S.C. §§ 668-668d and 50 Code of Federal Regulations [CFR] § 22.280) for disturbance to golden eagles (*Aquila chrysaetos*) at the project (Project). The Project entails conducting system hardening along a portion of an overhead powerline, including hazard tree removal and power pole replacement, in Plumas County, California during the 2024 eagle breeding season. The trees in the vicinity of the Project present a hazard to the power lines and are a potential fire and human health and safety risk requiring emergency removal. The Applicant requested an eagle disturbance take Specific Permit (Permit) for disturbance and loss of breeding productivity of one golden eagle (*Aquila chrysaetos*) breeding pair from activities for the Project. Issuance of a permit by the Service for take that is incidental to otherwise lawful activities under the Eagle Act constitutes a discretionary Federal action that is subject to the National Environmental Policy Act (NEPA; 42 United States Code [U.S.C.] §§ 4321 et seq.).

In accordance with the NEPA, we prepared an Environmental Assessment (EA) analyzing the environmental consequences of issuing a permit for the take of golden eagles associated with the Project, as well as alternatives to this proposed action (Attachment 1). This EA assists the Service in ensuring compliance with the NEPA and in making a determination as to whether any "significant" impacts to the environment not previously analyzed under the Service's Programmatic Environmental Impact Statement for the Eagle Rule Revision, December 2016 (PEIS; USFWS 2016a) and Final Environmental Assessment: 2024 Eagle Take Permit Rulemaking (FEA; USFWS 2024) could result from the analyzed actions, which would require preparation of an Environmental Impact Statement. Considering "significance" under NEPA is addressed by regulation 40 CFR § 1501.3, and requires we analyze the potentially affected environment and degree of the effects of the action. Effects of the action may be direct, indirect, or cumulative (40 CFR 1508.1(g)).

The Service's purpose in considering the proposed action of issuing an eagle disturbance take Specific Permit is to fulfill our authority under the Eagle Act (16 U.S.C. §§ 668-668d) and its regulations (50 CFR § 22). Applicants whose otherwise lawful activities may result in take of eagles can apply for incidental eagle take permits so that their projects may proceed without potential violations of the Eagle Act. Such permits can be issued by us when the take that is authorized is compatible with the Eagle Act preservation standard; it is necessary to protect an interest in a particular locality; and it is associated with, but not the purpose of, the activity; and it cannot be practicably avoided (50 CFR § 22.200 and 89 Federal Register [FR] 9920).

The need for this federal action is a decision on an eagle disturbance take Specific Permit application from Plumas-Sierra Rural Electric Cooperative that is in compliance with all applicable regulatory requirements set forth under the Eagle Act in 50 CFR § 22.

Proposed Action and Alternatives Considered

In the EA, the Service fully analyzed two potential courses of action, summarized below, to respond to the Applicant's request for an eagle disturbance take Specific Permit.

Proposed Action

The Service proposed to issue an eagle disturbance take Specific Permit, with associated conditions, to Plumas-Sierra Rural Electric Cooperative for disturbance and loss of breeding productivity of one golden eagle breeding pair nesting in the vicinity of the Project during the 2024 eagle breeding season ("Proposed Action"). This loss of breeding productivity is estimated to equate to 0.59 young fledged lost from the eagle population. The permit would require implementation of measures to avoid and minimize eagle take, monitoring of eagle breeding productivity, and compensatory mitigation to fully offset the estimated take, as detailed in the Environmental Consequences section of the EA (Attachment 1).

Alternative 1: No Action

Under the No-Action Alternative, the Service would take no further action on Plumas-Sierra Rural Electric Cooperative's eagle disturbance take Specific Permit application.

Public Scoping and Tribal Coordination

Scoping regarding issuance of eagle take permits was performed for the PEIS (USFWS 2016). This Finding of No Significant Impact and attached EA will be made public on the Service's website.[1]

On February 2, 2024, the Service notified Tribes of a California Department of Transportation (CalTrans) project that would result in the potential disturbance of the same golden eagle breeding pair as the Plumas-Sierra Rural Electric Cooperative project. The Service sent letters to 24 federally-recognized tribal governments located within 109 miles (the natal dispersal distance of golden eagles, thought to adequately define the local area population of the eagles) of the golden eagle nest informing them of the potential disturbance to the nest during the 2024 and 2025 eagle breeding seasons and offering the opportunity for formal consultation regarding potential issuance of the CalTrans permit. The Service received a response from only one Tribe requesting additional information, to which the Service responded with an email providing the information requested. The Service received no response from any of the other Tribes contacted. The trees in the vicinity of the Project present a hazard to the power lines and are a potential fire

[1] https://www.fws.gov/library/collections/pacific-southwest-region-nepa-documents-eagle-permits

and safety risk requiring emergency removal. Since Tribal coordination for the CalTrans permit did not result in concerns, the Service will not have a formal public comment period for this EA. The Service will notify the Tribes again of the potential disturbance to the golden eagle breeding pair in 2024 from the additional Plumas-Sierra Rural Electric Cooperative project following the potential issuance of the Permit to the Applicant.

Selected Alternative

Based on review of the analyses detailed in the EA, the Service selected the Proposed Action of issuing an eagle disturbance take Specific Permit to Plumas-Sierra Rural Electric Cooperative for disturbance and loss of productivity of one golden eagle pair during the 2024 eagle breeding season with the requirement to implement avoidance and minimization measures, conduct eagle monitoring, and provide compensatory mitigation to fully offset the estimated take.

Disturbance take of golden eagles is predicted to occur under all alternatives, however the Proposed Action incorporates additional measures to avoid and minimize take of eagles, fully offsets the take with required compensatory mitigation, and includes eagle breeding productivity monitoring, which would not occur under the No-Action Alternative.

The Proposed Action is consistent with the purpose and need for this Federal action and is in compliance with all statutory (16 U.S.C. §§ 668-668d) and regulatory requirements (50 CFR § 22.200 and 50 CFR § 13.21), including the criteria codified for permit issuance (50 CFR § 22.200(d)).

Determining Significance

When considering whether the effects of the Proposed Action are significant, regulations of the NEPA require agencies to "analyze the potentially affected environment and degree of the effects of the action" (40 CFR § 1501.3(b)). This includes considering the extent of the potentially affected area (national, regional, or local) and its resources, as appropriate to the specific action. Further considerations for the degree of the effects include both short- and long-term effects, both beneficial and adverse effects, effects on public health and safety, and effects that would violate Federal, State, Tribal, or local law protecting the environment (40 CFR § 1501.3(b)). Below we examine these considerations for the selected Proposed Action.

Potentially Affected Environment

For purposes of analyzing the selected Proposed Action, the appropriate affected environment associated with the Proposed Action is local and regional, because the Proposed Action does not affect statewide or national resource values. Analyses of effects at the local and regional scale are provided in the EA.

Golden eagles are the resource in the affected area most likely to be affected by the Proposed Action of issuance of the requested eagle disturbance take Specific Permit. One golden eagle pair nesting in the vicinity of the Project activities may be disturbed by these activities. However, as discussed in the EA and below, the Applicant will implement conservation measures to minimize the risk to eagles and will offset golden eagle take through compensatory mitigation.

Bald eagles (*Haliaeetus leucocephalus*) are known to occur in the region but are not expected to be affected by Project activities as no bald eagle nests have been identified in the vicinity of the Project. Bald eagles in the region may benefit from reduced electrocution risk due to the power pole retrofitting to be done as offsetting compensatory mitigation for the authorized golden eagle take.

Migratory birds are not expected to be negatively affected by the Proposed Action of issuing an eagle take permit to the Applicant, however migratory birds may incidentally benefit from reduced electrocution risk due to the power pole retrofitting to be done for the eagle take permit.

Authorizing incidental eagle take is not expected to have effects to species protected by the Endangered Species Act (ESA) at the Project. Furthermore, no species listed under the ESA, or potential critical habitat, were found to be present within the Project boundary.

Eagles and their feathers are revered and considered sacred in many Native American traditions. Issuing a permit for disturbance take of eagles, is not expected to interfere with cultural practices and ceremonies related to eagles or to affect Native Americans' ability to obtain or use eagle feathers. Moreover, the Service requests any eagle feathers that are found be sent to our repository and, if in good condition, will be made available for these practices. Therefore, we do not anticipate any adverse effect on cultural resources from the Proposed Action.

Degree of the Effects

We have considered the following in evaluating the degree of the effects (40 CFR 1501.3(b)(2)), as appropriate, of the Proposed Action:

1) Both short- and long-term effects.

> Issuance of an eagle disturbance take Specific Permit for the Project does not set precedent for, or automatically apply, to other eagle take permit applications the Service is reviewing or could review in the future. Each permit request will be evaluated on a case-by-case basis. Therefore, the Proposed Action does not establish precedents for future actions or represent a decision in principle about a future action. Moreover, this Project will not limit the Service's discretion when processing future eagle take permit applications under the Eagle Act's permitting regulations.
>
> The analyses in the EA considered effects to golden eagles at varying temporal scales and considered effects to both local and regional golden eagle populations.

Short-Term Effects. Under the Proposed Action, issuance of an eagle disturbance take Specific Permit would authorize disturbance and loss of productivity of one golden eagle pair over one eagle breeding season. However, as described in the EA, the Applicant will implement measures to minimize disturbance to the eagles and decrease the chance of take and will fully offset the estimated take with compensatory mitigation. Analyses provided in the EA indicate the authorized take will have no significant effect on the local eagle population, and as the take will be fully offset with compensatory mitigation, the take will also have no significant effect on regional eagle populations.

Long-Term Effects. Despite short-term disturbance to the eagle pair and minimal effects to eagle habitat from the Project system hardening activities, the activities are not expected to have long-term effects to eagles as the activities will occur over only one year and will minimally alter the landscape.

The analyses in the Service's PEIS on issuing incidental eagle take permits provides information and greater certainty in understanding the risks and effects to eagles of issuing incidental eagle take permits now and into the future. Furthermore, surveying and monitoring of eagles that would be required under the Proposed Action provides information and increased certainty in our future assessments of risk to eagles from similar projects and human activities.

2) Both beneficial and adverse effects.

Beneficial Effects. As described in the EA, the Proposed Action includes power pole retrofitting as mitigation for take of eagles. Such retrofits are anticipated to protect eagles from electrocution. As the number of retrofits to be done for mitigation is calculated at a 1.2 to 1 ratio, these avoided eagle electrocutions will more than offset Project-related take of eagles, thereby benefiting the eagle population as a whole. Pole retrofits are also expected to benefit bald eagles and other raptors that may be susceptible to electrocution. Required monitoring of eagle breeding productivity will also be beneficial as it will support the Service's understanding of impacts from similar projects and human activities in the vicinity of nesting golden eagles. Furthermore, issuance of an incidental eagle take permit will allow the Applicant to operate in compliance with the Eagle Act.

Adverse Effects. As described in the EA, under the Proposed Action, the Applicant would implement conservation measures to minimize the risk to eagles. However, loss of breeding productivity of one golden eagle pair in the vicinity of Project system hardening activities may occur due to disturbance from these activities over one eagle breeding season. The Applicant will offset this eagle take through compensatory mitigation. This will ensure that the impacts of issuing an eagle disturbance take Specific Permit on the local and regional golden eagle populations will not be significant.

3) Effects on public health or safety.

The Proposed Action would include mitigating eagle take by retrofitting power poles to prevent eagle electrocutions. As eagle and other raptor electrocutions on power poles can

start fires, decreasing eagle and other raptor electrocutions could benefit human safety by reducing fire risk.

4) Effects that would violate Federal, State, Tribal, or local law protecting the environment.

The Proposed Action, issuance of a eagle disturbance take Specific Permit under the Eagle Act, does not violate any known Federal, State, Tribal, or local law or requirement imposed for the protection of the environment. In addition, the Proposed Action is consistent with applicable Eagle Act, MBTA, and ESA regulations, policies, and programs.

Finding of No Significant Impact

The Service's Migratory Bird Program concludes, based on the analyses outlined in the EA and the information provided above, that the Proposed Action would not cause significant effects on the environment based on criteria established by regulations, policy, and analysis. We conducted analyses of effects at the Project, local area eagle population, and regional Eagle Management Unit scales, as well as the degree of these effects. The selected Proposed Action is unlikely to have significant impacts on eagles because a significant population-level effect for bald eagles is not expected, all reasonably foreseeable take of golden eagles will be fully offset, cumulative effects do not exceed levels deemed to be incompatible with the preservation of eagle populations and the Proposed Action meets the Eagle Act's preservation standard and all regulatory requirements (16 U.S.C. §§ 668-668d, 50 CFR § 22.6, 50 CFR § 22.200).

Based on the findings discussed herein, we conclude that the Proposed Action is not a major federal action and will result in no significant impacts to the environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in 40 CFR 1501.3. Therefore, preparation of an EIS to further analyze possible effects is not required pursuant to NEPA Section 102(2)(c), and our environmental review under NEPA is concluded with this finding of no significant impact.

Digitally signed by DANIEL BLAKE
Date: 2024.05.30 11:27:36 -07'00'

Daniel Blake
Chief, Migratory Bird Program
Pacific Southwest Region
U.S. Fish and Wildlife Service

References

16 United States Code (U.S.C.) §§ 668-668d. Title 16 - Conservation; Chapter 5a - Protection and Conservation of Wildlife; Subchapter II - Protection of Bald and Golden Eagles. Available online: http://uscode.house.gov

40 Code of Federal Regulations (CFR) § 1501.3. Title 40 - Protection of Environment; Chapter V - Council on Environmental Quality; Subchapter A – National Environmental Policy Act Emplementing Regulations; Part 1501 – NEPA and Agency Planning; Section (§) 1501.3 – Determine the appropriate level of NEPA review. Available online: https://www.ecfr.gov

42 United States Code (U.S.C.) §§ 4321 et seq. Title 42 - the Public Health and Welfare; Chapter 55 - National Environmental Policy; Subchapters I (Policies and Goals) and II (Council on Environmental Quality); Sections (§§) 4321 et seq. Available online: http://uscode.house.gov

50 Code of Federal Regulations (CFR) § 13.21. Title 50 - Wildlife and Fisheries; Chapter I - United States Fish and Wildlife Service, Department of the Interior; Subchapter B - Taking, Possession, Transportation, Sale, Purchase, Barter, Exportation, and Importation of Wildlife and Plants; Part 13 - General Permit Procedures; Section (§) 13.21 – Issuance of permits. Available online: https://www.ecfr.gov

50 Code of Federal Regulations (CFR) § 22. Title 50 - Wildlife and Fisheries; Chapter I - United States Fish and Wildlife Service, Department of the Interior; Subchapter B - Taking, Possession, Transportation, Sale, Purchase, Barter, Exportation, and Importation of Wildlife and Plants; Part 22 - Eagle Permits. Available online: https://www.ecfr.gov

89 Federal Register (FR) 9920. 2024. Permits for Incidental Take of Eagles and Eagle Nests. Vol. 89, No. 29. February 12, 2024. pp 9920-9965. Available online: https://www.federalregister.gov/

The Edison's Electric Institute Avian Power Line Interaction Committee (APLIC), and U.S. Fish and Wildlife Service (USFWS). Avian Protection Plan (APP) Guidelines. Apr. 2005. Available online: https://www.aplic.org/uploads/files/2634/APPguidelines_final-draft_Aprl2005.pdf

US Fish and Wildlife Service (USFWS). 2016a. Programmatic Environmental Impact Statement for the Eagle Rule Revision. December 2016. Available online: https://www.fws.gov/media/final-programmatic-environmental-impact-statement-eagle-rule-revision

US Fish and Wildlife Service (USFWS). 2016b. Bald and Golden Eagles: Population demographics and estimation of sustainable take in the United States, 2016 update. Division of Migratory Bird Management, Washington D.C., USA. Available online: https://www.fws.gov/media/population-demographics-and-estimation-sustainable-take-united-states-2016-update

US Fish and Wildlife Service (USFWS). 2024. Final Environmental Assessment: 2024 Eagle Take Permit Rulemaking. January 2024. Available online: https://www.fws.gov/media/eagle-take-permit-rulemaking-nepa-january-2024

Attachment 1

Environmental Assessment for the Issuance of an Eagle Disturbance Take Specific Permit for the Plumas-Sierra Rural Electric Cooperative Project

Environmental Assessment

for the Issuance of an Eagle Disturbance Take Specific Permit
for the Plumas-Sierra Rural Electric Cooperative Project

California

May 2024

U.S. Fish and Wildlife Service
U.S. Department of Interior
2800 Cottage Way, Suite W-2606, Sacramento, CA 95825
Contact: fw8_eaglepermits@fws.gov

Contents

Abbreviations

Applicant	Plumas-Sierra Rural Electric Cooperative
CFR	Code of Federal Regulations
EA	Environmental Assessment
Eagle Act	Bald and Golden Eagle Protection Act
EMU	Eagle Management Unit
ESA	Endangered Species Act
FR	Federal Register
LAP	Local Area Population
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
PEIS	Programmatic Environmental Impact Statement for the Eagle Rule Revision
Permit	Applicant requested an eagle disturbance take Specific Permit
Project	Plumas-Sierra Rural Electric Cooperative system hardening project
REA	Resource Equivalency Analysis
Service	United States Fish and Wildlife Service
U.S.C.	United States Code
USFWS	United States Fish and Wildlife Service

Introduction

This Environmental Assessment (EA) analyzes the environmental consequences, pursuant to the National Environmental Policy Act (NEPA; 42 United States Code [U.S.C.] §§ 4321 et seq.), of the U.S. Fish and Wildlife Service (Service) issuing an eagle disturbance take Specific Permit (Permit) for disturbance to golden eagles (*Aquila chrysaetos*) associated with system hardening along a portion of the an overhead powerline, including hazard tree removal and power pole replacement, at the project (Project). The trees in the vicinity of the Project present a hazard to the power lines and are a potential fire and human health and safety risk requiring emergency removal. The applicant for the Permit, Plumas-Sierra Rural Electric Cooperative (Applicant), is requesting eagle take coverage under the Bald and Golden Eagle Protection Act (Eagle Act; 16 U.S.C. §§ 668-668d and 50 Code of Federal Regulations [CFR] § 22.280) for disturbance of one golden eagle breeding pair during one eagle breeding season from system hardening activities in 2024.

Issuance of an incidental eagle take permit by the Service for take that is incidental to otherwise lawful activities under the Eagle Act constitutes a discretionary Federal action that is subject to the NEPA. This EA assists the Service in ensuring compliance with the NEPA and in making a determination as to whether any "significant" impacts to the environment not previously analyzed under the Service's Programmatic Environmental Impact Statement for the Eagle Rule Revision, December 2016 (PEIS; USFWS 2016a) and Final Environmental Assessment: 2024 Eagle Take Permit Rulemaking (FEA; USFWS 2024) could result from the analyzed actions, which would require preparation of an Environmental Impact Statement. This EA evaluates the effects of the Service's proposed action to issue the Permit to the Applicant, as well as alternatives to this action.

The Eagle Act authorizes the Service to issue eagle take permits only when the take is compatible with the preservation of each eagle species (known as the Eagle Act's "preservation standard"), which is defined in regulations as "consistent with the goals of maintaining stable or increasing breeding populations in all eagle management units and the persistence of local populations throughout the geographic range of each species" (50 CFR § 22.6).

The Applicant has applied for an eagle disturbance take Specific Permit for disturbance and loss of breeding productivity of one golden eagle breeding pair in the vicinity of the Project during the 2024 eagle breeding season.

This EA evaluates whether issuance of the Permit will have significant impacts on the existing potentially affected environment and the degree of the effects of the action, beyond those previously analyzed in the PEIS. In considering this, 40 CFR § 1501.3 directs an agency to consider the affected area (national, regional, or local) and its resources. In evaluating the degree of the effects, we must also consider short-term, long-term, beneficial, and adverse effects; impacts to public health and safety; and compliance with other environmental protection laws.

This proposal conforms with, and carries out, the management approach analyzed in, and adopted subsequent to, the Service's PEIS. Accordingly, this EA tiers from the PEIS. Project-specific information not considered in the PEIS will be considered in this EA.

Purpose and Need

The Service's purpose in considering the proposed action is to fulfill our authority under the Eagle Act (16 U.S.C. §§ 668-668d) and its regulations (50 CFR § 22). Applicants whose otherwise lawful activities may result in take of eagles can apply for incidental eagle take permits so that their projects may proceed without potential violations of the Eagle Act. Such permits can be issued by the Service when the take that is authorized is compatible with the Eagle Act preservation standard; it is necessary to protect an interest in a particular locality; it is associated with, but not the purpose of, the activity; and it cannot be practicably avoided (50 CFR § 22.200 and 89 Federal Register [FR] 9920).

The need for this federal action is a decision on an eagle disturbance take Specific Permit application submitted by Plumas-Sierra Rural Electric Cooperative that is in compliance with all applicable regulatory requirements set forth under the Eagle Act in 50 CFR § 22. As the situation surrounding the application addresses human health and safety concerns that need to be remedied immediately, the need for the decision on the application is significantly expedited.

Authorities

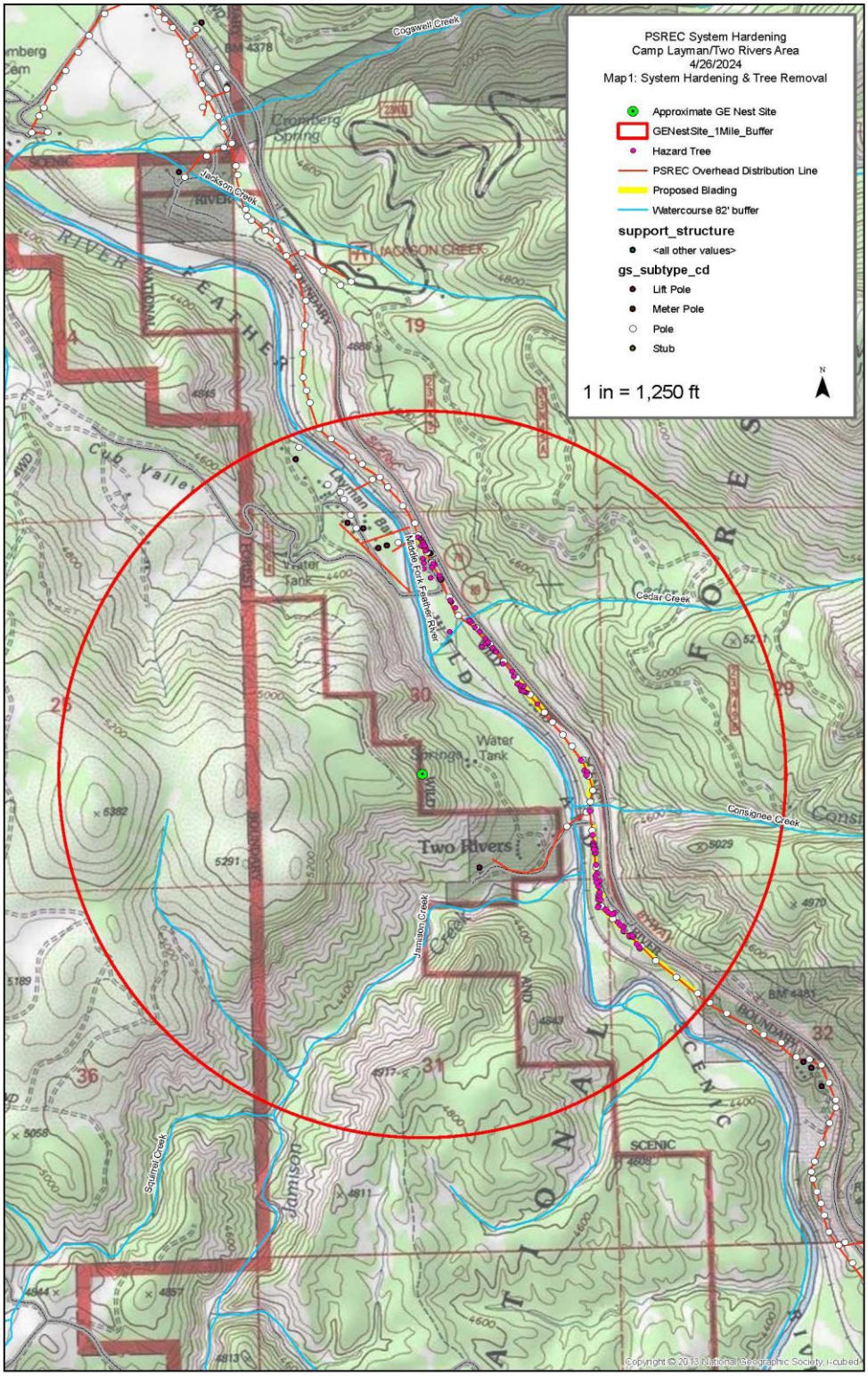
Service authorities are codified under multiple statutes that address management and conservation of natural resources from many perspectives, including, but not limited to the effects of land, water, and energy development on fish, wildlife, plants, and their habitats. This analysis is based on the Eagle Act (16 U.S.C. §§ 668-668d) and its regulations (50 CFR § 22). The PEIS has a full list of authorities that apply to this action (USFWS 2016a: Section 1.6, pages 7-12), which are incorporated by reference here.

Background

The Applicant will be system hardening a portion of the Applicant's overhead powerline in Plumas County, California (Figure 1). Project activities include hazard tree removal and associated slash abatement, vegetation clearing on the utility easement, replacement of existing power poles, and clearing of seasonal roads. Project activities will occur over one construction season in 2024, with necessity for completing the Project prior to increased fire risk during the dry season of 2024.

Eagle activity and nesting in the Project footprint area and surrounding vicinity have been closely monitored or documented since the 1970s. The current nest site had been active since 2017. Since 2017, the nest has been successful with the exception of 2018. No alternative nesting sites have been observed. The Service issued a short-term incidental eagle take permit to California Department of Transportation (CalTrans) for disturbance to the same golden eagle breeding pair for the 2024 and 2025 eagle breeding seasons.

Figure 1. Location and vicinity map of Plumas-Sierra Rural Electric Cooperative system hardening project and location of a nearby golden eagle nest (Source: Plumas-Sierra Rural Electric Cooperative)



Scoping, Consultation and Coordination

This EA incorporates by reference the scoping performed for the PEIS (USFWS 2016a: Chapter 6, page 175). This EA will be made public on the Service's website.[1]

Coordination with Tribal Governments

Tribal participation is a key component of the Service's decision to issue an eagle take permit, and an integral part of the National Historic Preservation Act (NHPA) and NEPA processes. Cultural and religious concerns regarding incidental take of eagles on a national scale were analyzed in the PEIS, and tribal consultation already conducted for the PEIS is incorporated by reference into this EA. The PEIS identified tribal coordination as an important issue for subsequent analysis in consideration of individual eagle take permit applications, given the cultural importance of eagles to the tribes. In accordance with Executive Order 13175, Consultation and Coordination with Tribal Governments (65 FR 67249), the NHPA Section 106 (36 CFR § 800), and the Service's Native American Policy, the Service consults with Native American tribal governments whenever our actions taken under the authority of the Eagle Act may affect tribal lands, resources, or the ability to self-govern. This coordination process is also intended to ensure compliance with the American Indian Religious Freedom Act.

On February 2, 2024, the Service notified Tribes of a CalTrans project that would result in the potential disturbance of the same golden eagle breeding pair as the Plumas-Sierra Regional Utility Project. The Service sent letters to 24 federally-recognized tribal governments located within 109 miles (the natal dispersal distance of golden eagles, thought to adequately define the local area population of the eagles) of the golden eagle nest informing them of the potential disturbance to the nest during the 2024 and 2025 eagle breeding seasons and offering the opportunity for formal consultation regarding potential issuance of the CalTrans permit. The Service received a response from only one Tribe requesting additional information, to which the Service responded with an email providing the information requested. The Service received no response from any of the other Tribes contacted. The trees in the vicinity of the Project present a hazard to the power lines and are a potential fire and safety risk requiring emergency removal. Since Tribal coordination for the CalTrans permit did not result in concerns, the Service will not have a formal public comment period for this EA. The Service will notify the Tribes again of the potential disturbance to the golden eagle breeding pair in 2024 from the additional Plumas-Sierra Regional Utility Project following the potential issuance of the Permit to the Applicant.

[1] https://www.fws.gov/library/collections/pacific-southwest-region-nepa-documents-eagle-permits

Proposed Action and Alternatives

Proposed Action

We propose to issue an eagle disturbance take Specific Permit, with associated conditions, to Plumas-Sierra Rural Electric Cooperative for disturbance and loss of breeding productivity of one golden eagle breeding pair nesting in the vicinity of system hardening activities for the Project during the 2024 eagle breeding season ("Proposed Action"). The trees in the vicinity of the Project present a hazard to the power lines and are a potential fire and safety risk requiring emergency removal.

The Proposed Action would require measures to avoid and minimize eagle take to the maximum extent practicable, monitoring to estimate and assess take, and compensatory mitigation to offset estimated take of golden eagles as summarized below and detailed in the Environmental Consequences section later in this document.

> ***Avoidance and Minimization Measures*:** The Applicant would implement the following avoidance and minimization measures to the maximum extent practicable: maintain non-hazardous tree lines to allow for a visual barrier between the eagle nest and project activities; for any vegetation removal that must occur during the breeding season within 1 miles of the nest, begin at the furthest possible distance from the nest and work toward the nest such that any removal to be conducted nearest to the nest occurs last; reduce power pole replacement via helicopter and minimize the duration that the helicopter spends within 1,000 feet of an eagle nest; avoiding conducting Project activities during severe weather such as heavy rain, severe thunderstorms, high winds, and/or extreme temperatures (high or low); conducting Project activities only during daylight hours. If night work is necessary, lights would be pointed away from the nesting area. The Applicant would also train work crews about nesting eagles and eagle protection measures.
>
> ***Compensatory Mitigation***: The Applicant would fully offset 0.59 golden eagles with compensatory mitigation at a 1.2 to 1 ratio, as required in the Eagle Act regulations (50 CFR § 22.220(a)(1)).
>
> ***Surveying and Monitoring***: The Applicant would be required to survey for and monitor the golden eagle pair that may be disturbed by Project activities, determining nesting status and nest fate during the 2024 eagle breeding season.

Criteria for issuance of an eagle take Specific Permit are codified in 50 CFR § 22.200(d). Plumas-Sierra Rural Electric Cooperative's application for an eagle disturbance take Specific Permit meets all the regulatory issuance criteria and required determinations (50 CFR § 13.21 and 50 CFR § 22.200) for eagle take permits.

Alternative 1: No Action

Under the No-Action Alternative, the Service would take no further action on the Applicant's eagle disturbance take Specific Permit application. However, per regulations (50 CFR § 13.21), the Service must take action on the Permit application, determining whether to deny or issue the Permit. We consider this alternative because Service policy requires evaluation of a No-Action Alternative and it provides a clear comparison of any potential effects to the human environment from the Proposed Action.

The No-Action Alternative in this context analyzes predictable outcomes of the Service not issuing the requested Permit. Under the No-Action Alternative, the Project would likely be conducted without an eagle take permit being issued. Thus, for purposes of analyzing the No-Action Alternative, we assume that the Applicant will implement all measures required by other agencies and jurisdictions to conduct the activity at this site, but the conservation measures proposed under this requested Permit would not be required. The Project proponent may choose to implement some, none, or all of those conservation measures. Under this alternative, we assume that the Applicant will take some reasonable steps to avoid taking eagles, but the Project proponent will not be protected from enforcement for violating the Eagle Act should take of an eagle occur, and any eagle take that occurs would not be offset by compensatory mitigation.

Other Alternatives Considered but Not Evaluated in this Environmental Assessment

The Service considered an additional alternative to the Proposed Action, but concluded that this alternative did not meet the purpose and need underlying the action because it was not consistent with the Eagle Act and its regulations or did not adequately address the risk of take at the Project. Therefore, the Service did not assess the potential environmental impacts of this alternative. Below is a summary of the additional alternative considered but eliminated from further review.

Alternative 2: Deny Permit

Under this alternative, the Service would deny the Permit application because the Applicant falls under one of the disqualifying factors and circumstances denoted in 50 CFR § 13.21, the application fails to meet all regulatory permit issuance criteria and required determinations listed in 50 CFR § 22.200.

Our permit issuance regulations at 50 CFR § 13.21(b) set forth a variety of circumstances that disqualify an applicant from obtaining a permit. None of the disqualifying factors or circumstances denoted in 50 CFR § 13.21 apply to the Applicant. We next considered whether the Applicant meets all issuance criteria for the type of permit being issued. For eagle take Specific Permits, those issuance criteria are found in 50 CFR § 22.200(d). The Applicant's application meets all the regulatory issuance criteria and required determinations (50 CFR § 22.200) for eagle take Specific Permits.

When an applicant for an eagle disturbance take Specific Permit is not disqualified under 50 CFR 13.21 and meets all the issuance criteria of 50 CFR § 22.200(d), denial of the permit is not a reasonable option. Therefore, this alternative—denial of the Permit—was eliminated from further consideration.

Affected Environment

This section describes the current status of the environmental resources and values that may be affected by the Proposed Action and alternatives.

Golden Eagle

Golden eagle habitat in much of western and northern California where the Project is located generally consists of open grasslands and oak savanna interspersed with oak and shrub woodlands, with the golden eagles predominantly nesting in trees and utilizing nearby open areas for foraging on ground squirrels and jackrabbits. However, the eagle nest within the Project vicinity is located in a relatively dense conifer landscape (Figure 1), which is atypical for golden eagle breeding habitat. There are open hillsides to the south of the Project location that may be utilized for foraging, and the nest is in proximity to the Middle Fork Feather River.

Historic and recent surveying for eagles in the area surrounding the Project location indicate one recent in-use golden eagle nest, used since 2017, within one mile of the Project activities to be conducted during the eagle breeding season (Figure 1), as well as several historic golden eagle nest locations. The recently used nest has been successful each breeding season since 2017, with the exception of 2018. The nest is approximately 0.40 miles from Highway 70 and approximately 0.31 miles from railroad tracks running adjacent to Highway 70. The nest is in a tree mid-way up the ridgeline with somewhat obstructed views of the Project. All project activity will be visible to the eagles when they are in flight.

Bald Eagles

Bald eagles (*Haliaeetus leucocephalus*) are known to occur and breed in the region, however there are no known bald eagle nests within the vicinity of the Project, and bald eagles are not expected to be affected by Project activities.

Migratory Birds

Effects to migratory birds from issuing eagle take permits have been analyzed in the PEIS, and those analyses are incorporated by reference here.

Species Listed under the Endangered Species Act

Section 7 of the ESA requires Federal agencies to consult to "ensure that any action authorized, funded, or carried out" by them "is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of [critical] habitat" (16 U.S.C. § 1536(a)(2)). The Service's decision regarding the requested Permit will not alter the physical footprint of the Project and therefore will not alter the Project impacts to federally threatened and endangered species in the Project area.

Cultural and Socio-economic Interests

Bald and golden eagles are important symbols of U.S. history and sacred to many Native American cultures. Some Native American cultures utilize eagles, eagle feathers, and other eagle parts for religious practices and cultural ceremonies. Outside of rituals and practices, wild eagles as live beings are deeply important to many tribes (Lawrence 1990, as cited by USFWS 2016a). Numerous tribes confirmed the importance of wild eagles during scoping and tribal consultation for the PEIS. The Proposed Action or considered alternatives would not impact cultural or socioeconomic interests beyond the impacts already discussed in the PEIS. Therefore, cultural and socioeconomic interests will not be further analyzed in the EA.

Climate Change

Climate change was considered in the PEIS and is incorporated by reference here.

Environmental Consequences

This section summarizes the effects on the environment of implementing the Proposed Action or alternatives to the action. The discussion of overall effects to the environment of the eagle incidental take permit program is provided in the PEIS and FEA and is incorporated by reference here. This section of this EA analyzes only the effects that were not analyzed in the PEIS or FEA that may result from the issuance of an eagle disturbance take Specific Permit for this specific project.

Proposed Action

Golden Eagles

Direct and Indirect Effects

In determining the significance of effects of the Project on eagles, we confirmed that the Proposed Action does not deviate from the analysis provided in the PEIS, FEA, and the Service's 2016 report, *Bald and Golden Eagles: Population demographics and estimation of sustainable take in the United States, 2016 update* (USFWS 2016b). We also assessed Project-specific effects to eagles that were not covered in the PEIS analyses.

The Project is not expected to have long-term effects to golden eagles as the Project activities will occur only over one year. Although the Project will be modifying the landscape, it will result in minimal loss of eagle habitat.

One recently in-use golden eagle nest is located within one mile of the Project activities to occur during the eagle breeding season, where the likelihood of disturbance from human activities is increased. Human activity and noise near an eagle nest may decrease foraging opportunities and efficiency, decrease the potential for territory occupancy, result in nest abandonment, or affect the likelihood of the golden eagles to successfully incubate or fledge young (Rosenfield et al. 2007, Scott 1985A). Project activities will be as close as approximately 0.35 miles from the nest, may be visible and audible to the golden eagle pair, and may result in noise and visual disturbance to the golden eagle breeding pair. We anticipate that this golden eagle breeding pair could be disturbed this year due to Project activities.

Disturbance to breeding eagles is assumed to prevent eagles from successfully nesting and raising young. To estimate this loss of breeding productivity for golden eagles, the Service uses an estimate of 0.59 young fledged per each golden eagle breeding pair occupying a nesting territory each year, which equates to one incident of disturbance and loss of breeding productivity take of a golden eagle breeding pair (USFWS 2016b). When a golden eagle breeding pair is disturbed, the Service assumes this 0.59 annual nesting-territory productivity is lost for the breeding season in which the eagles were disturbed. Therefore, the Service estimates the take of eagles to be 0.59 young fledged for the one-year duration of the Project.

The Proposed Action incorporates measures to minimize and avoid eagle take to the maximum degree practicable, as required by regulation. The Applicant would implement the following avoidance and minimization measures to the maximum extent practicable: maintain non-hazardous tree lines to allow for a visual barrier between the eagle nest and project activities; for any vegetation removal that must occur during the breeding season within 1 miles of the nest, begin at the furthest possible distance from the nest and work toward the nest such that any removal to be conducted nearest to the nest occurs last; reduce power pole replacement via helicopter and minimize the duration that the helicopter spends within 1,000 feet of an eagle nest; avoiding conducting Project activities during severe weather such as heavy rain, severe thunderstorms, high winds, and/or extreme temperatures (high or low); conducting Project

activities only during daylight hours. If night work is necessary, lights would be pointed away from the nesting area. The Applicant would also train work crews about nesting eagles and eagle protection measures.

Along with implementing these minimization and avoidance measures, the Applicant would provide compensatory mitigation to offset the estimated take by the Project at a 1.2 to 1 ratio, as required in the Eagle Act regulations (50 CFR § 22.220(a)(1)), by paying for retrofitting of electric power poles that are an electrocution risk to eagles. The 1.2 to 1 ratio for compensatory mitigation achieves a net benefit to golden eagle populations, ensuring that regional eagle populations are maintained consistent with the preservation standard of the Eagle Act despite indications of declines in golden eagle populations (USFWS 2016a).

Mitigation must be paid shortly after permit. If mitigation is paid but the Service determines that golden eagles successfully breed during 2024 and productivity is not lost, the mitigation paid to offset take that did not occur will be applied to future years of estimated take authorized to the Applicant under future permits.

The retrofitting of high-risk electric utility power poles can be used to offset authorized take of golden eagles, as electrocution from power poles is known to be a major cause of eagle mortality. Power poles can be retrofitted by verified methods (such as insulating or covering electrical components or modifying pole elements to increase the distance between electrical components) to reduce the risk of electrocution to eagles, with the maintenance and efficacy of retrofits confirmed through post-installation inspections and monitoring. The effects of retrofitting power poles has been quantified "per eagle", allowing use of a Resource Equivalency Analysis (REA) to calculate the number of power pole retrofits needed to offset the authorized take of golden eagles (USFWS 2013).

The Service ran the REA to determine the number of power poles that would need to be retrofit to offset the estimated golden eagle take. Incorporating the 1.2 to 1 compensatory mitigation ratio required under the Eagle Act regulations, the Applicant would need to retrofit 11- 24 power poles to offset the take of 0.59 golden eagles this year at the Project. The final number of poles retrofitted will depend on several factors, including the type and expected longevity of each retrofit once the actual poles have been identified. To complete the required compensatory mitigation, the Applicant would either work directly with a utility company to complete the required power pole retrofits, with Service approval of the developed plan, or would work with an in-lieu fee program to purchase credits to fulfill the required retrofits to be completed.

Along with the benefit to eagles of reducing mortalities by electrocution, retrofitting of power poles to prevent bird electrocutions also increases public safety by reducing the risk of wildfires. Bird electrocution events may ignite fires in the vegetation surrounding and below the site of electrocution, so decreasing electrocution risk also reduces the risk of fire.

Eagle Act regulations require compensatory mitigation to be sited in the same EMU in which the take occurs (50 CFR § 22.80(c)(1)(iii)(B)). The Project is located in the Pacific Flyway EMU for golden eagles. The Applicant or the in-lieu fee program manager would coordinate with electric utility companies within the Pacific Flyway to determine locations of power poles that are

appropriate for retrofitting to prevent eagle electrocutions. The retrofits conducted as compensatory mitigation for this Permit would not be duplicative of the utility company's other obligations to retrofit power poles, including addressing their own responsibilities to rectify eagle take caused by electrocutions and line collisions from their infrastructure.

Under the Proposed Action, the Applicant would provide compensatory mitigation to fully offset estimated annual take of golden eagles at a 1.2 to 1 ratio. In addition, the 1.2 to 1 ratio also provides an additional net benefit to golden eagle populations. As the estimated take of golden eagles by Project activities would be fully offset by compensatory mitigation provided by the Applicant, project scale effects of issuance of the requested eagle disturbance take Specific Permit on golden eagle populations would not be significant and are therefore compatible with the preservation of golden eagles.

Cumulative Effects

The Service also assessed situations where the golden eagle take proposed under the Proposed Action combined with take from other present or foreseeable future actions and sources may be approaching levels that are biologically problematic and would not remain compatible with the preservation of eagles. Effects of take may be cumulative at the project scale, at the local-area eagle population scale, and at the EMU scale.

To ensure that eagle populations at the local scale are not depleted by combined take in the local area, the Service analyzed the amount of annual eagle take that can be authorized while still maintaining local area populations of eagles (USFWS 2016a, USFWS 2024). The local-area population (LAP) scale is defined for eagles as the median natal dispersal distance for the given species, which for golden eagles is a 109-mile radius (USFWS 2016a). The Service's original analysis (USFWS 2016a) found that to maintain local area golden eagle populations, all annual authorized take within a LAP must not exceed five percent of the LAP unless the Service can demonstrate why allowing take to exceed that limit is still compatible with the preservation of eagles. Our more recent analysis indicated that LAPs of golden eagles could sustainably withstand take authorizations for seven percent of the LAP (USFWS 2024). We, therefore, considered effects to the eagle LAP surrounding the Project to evaluate whether the take to be authorized under this Permit, together with other sources of permitted take and unpermitted eagle mortality, may be incompatible with the persistence of this LAP. We also assessed available data for any indication that unauthorized take (human-caused take that has not been permitted by the Service) in the LAP may exceed our roughly estimated average background level of anthropogenic mortality of eagles (USFWS 2016a). In our analysis and assessment to consider potential impacts to the LAP, we incorporated data provided by the Applicant, data on other eagle take authorized and permitted by the Service, and information regarding other reliably documented unauthorized eagle. We conducted our LAP effects analysis as described in the Service's *Eagle Conservation Plan Guidance* (USFWS 2013).

Results from our LAP effects analysis for the Proposed Action are summarized in Appendix A. The LAP is estimated to be 433.53 golden eagles. Current authorized take in the LAP, which includes permitted take at five other projects, the permit issued to CalTrans for disturbance to

this same golden eagle nest (which does not add additional take to the cumulative effects analysis as it is for disturbance of the same nest), and the take proposed for authorization under this Permit, is 3.5 golden eagles, which equates to 0.81 percent of the LAP per year. This is below both the previous five percent, and updated seven percent, sustainable take benchmarks determined by the Service to maintain the local area population of eagles. The Service also does not have any indication that unauthorized take may exceed expected background levels. Therefore, effects of take at the local scale would not be significant and would therefore be compatible with the preservation of golden eagles.

Take of eagles also has the potential to affect the larger eagle population. Therefore, the Service defined regional EMUs and analyzed the effects of permitting take of golden eagles in combination with ongoing unauthorized sources of human-caused eagle mortality and other present or foreseeable future actions affecting golden eagle populations (USFWS 2016a). As part of the analysis, the Service determined sustainable limits to permitted take within each EMU. The take limit for all golden eagle EMUs was set to zero as golden eagle populations throughout the United States may be declining (USFWS 2016a). Therefore, any authorized take of golden eagles must be offset with compensatory mitigation at a mitigation ratio of 1.2 to 1 ((50 CFR § 22.220(a)(1)). The take that would be authorized under the Proposed Action would be offset by the compensatory mitigation that will be provided by the Applicant, as described above, so will not significantly impact the EMU eagle population. The avoidance and minimization measures that would be required under the Permit, along with monitoring, are designed to further ensure that the Permit is compatible with the preservation of the golden eagle at the regional EMU population scale.

As the estimated take of golden eagles by this Project, and the potential for the take to compound with other sources of eagle take and affect larger eagle populations, is either below Service-determined sustainable benchmarks or will be addressed and offset by mitigation measures provided by the Applicant, the Proposed Action of issuance of the requested eagle disturbance take Specific Permit would cause no significant adverse effects on golden eagle populations and is compatible with the preservation of golden eagles.

Monitoring

Under the Proposed Action, the Applicant would be required to survey for and monitor the golden eagle pair that may be disturbed by Project activities, determining nesting status and nest fate during the 2024 eagle breeding season.

Bald Eagles

As there are no known bald eagles within the vicinity of the Project, take of bald eagles is not expected to occur from Project activities and take of bald eagles would not be authorized under the Proposed Action. However, bald eagles in the region may benefit from avoidance and minimization measures established to reduce the risk to golden eagles, as well as from compensatory mitigation actions provided to offset the take of golden eagles. No significant adverse effects are foreseen to bald eagles.

Migratory Birds

Issuance of the Permit to the Project may provide benefits to migratory birds. Power pole retrofits done as compensatory mitigation for the eagle disturbance take Specific Permit may minimize electrocution risk for raptors and other migratory birds, just as with eagles.

Impacts to migratory birds from the issuance of incidental eagle take permits were fully analyzed in the PEIS (USFWS 2016a); no further adverse effects to migratory birds are anticipated from issuance of the eagle take Permit to the Project.

Species Listed under the Endangered Species Act

Section 7 of the ESA requires Federal agencies to consult to "insure that any action authorized, funded, or carried out" by them "is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of [critical] habitat" (16 U.S.C. § 1536(a)(2)). The Service's decision regarding the requested Permit will minimally alter the physical footprint of the Project and therefore will not likely alter the Project impacts to federally threatened and endangered species in the Project area.

Alternative 1: No Action

Golden Eagles

If, under the No-Action Alternative, the Service took no action on the Applicant's Permit application, should take of eagles occur, the Applicant would be in violation of the Eagle Act. Under this No-Action Alternative, although all eagle conservation measures required by other agencies and jurisdictions should be implemented at the Project, additional measures required under the Permit would not be implemented to avoid or minimize risk to eagles of the Project activities. Therefore, the risk to eagles is expected to be higher under this alternative as compared to the Proposed Action. Furthermore, none of the impacts to golden eagles described above under the Proposed Action would be offset by compensatory mitigation if no action was taken on the application and an eagle disturbance take Specific Permit was not issued. Under this No-Action Alternative, should take of eagles occur from the Project, impacts of the Project on the eagle population are anticipated to be unmitigated disturbance and loss of breeding productivity of one golden eagle breeding pair during the 2024 eagle breeding season.

This alternative does not meet the purpose and need for the action because, by regulation (50 CFR § 13.21), when in receipt of a completed application, the Service must either issue or deny a permit to the applicant. The No-Action Alternative also does not meet the purpose of and need for the action because it would result in the adverse, unmitigated effects to golden eagles described above, effects that are not compatible with the preservation of golden eagles.

Bald Eagles

The Applicant did not apply for take authorization for bald eagles, nor is take of bald eagles expected to occur from Project activities. However, the No-Action Alternative would mean benefits that bald eagles might also incur from avoidance and minimization measures established to reduce the risk to golden eagles and compensatory mitigation actions provided to offset the take of golden eagles, would not occur.

Migratory Birds

Any incidental benefits to migratory birds from avoidance, minimization, and mitigations required under the Permit would not be realized under the No-Action Alternative.

Species Listed under the Endangered Species Act

As the Service would be taking no action under this alternative, there would be no effects to ESA-listed species under this No-Action alternative.

Comparison of Alternatives

The following table compares the effects of the Proposed Action and alternatives (Table 1).

Table 1. Comparison of the Proposed Action and other alternatives

	Proposed Action: Issue Eagle Disturbance Take Specific Permit	**Alternative 1: No Action**
Eagle Take Levels	Disturbance and loss of breeding productivity of one golden eagle breeding pair for one year	Same as Proposed Action
Avoidance and Minimization	Applicant required to implement avoidance and minimization measures	There would be no requirement to implement Service-suggested measures
Compensatory Mitigation	Power pole retrofitting to offset golden eagle take at a 1.2:1 ratio	None

	Proposed Action: Issue Eagle Disturbance Take Specific Permit	Alternative 1: No Action
Unmitigated Eagle Take/Effects	None	Disturbance and loss of breeding productivity of one golden eagle breeding pair for one year
Data Collection /Monitoring	Applicant required to survey for and monitor eagles that may be disturbed by Project activities during the 2024 eagle breeding season	There would be no requirement to implement Service-suggested monitoring
Applicant Liability for Eagle Take	None, if in compliance with Permit terms and conditions	Yes
Meets Eagle Act Statutory and Regulatory Requirements	Yes	No

List of Preparers

Amy Walsh, Biologist, U.S. Fish and Wildlife Service, Migratory Birds Program

References

16 United States Code (U.S.C.) §§ 668-668d. Title 16 - Conservation; Chapter 5a - Protection and Conservation of Wildlife; Subchapter II - Protection of Bald and Golden Eagles. Available online: http://uscode.house.gov

16 United States Code (U.S.C.) § 1536. Title 16 – Conservation; Chapter 35 – Endangered Species; Section (§) 1536 – Interagency Cooperation. Available online: http://uscode.house.gov

36 Code of Federal Regulations (CFR) § 800. Title 36 – Parks, Forests, and Public Property; Chapter VIII – Advisory Council on Historic Preservation; Part 800 – Protection of Historic Properties. Available online: https://www.ecfr.gov

40 Code of Federal Regulations (CFR) § 1501.3. Title 40 - Protection of Environment; Chapter V - Council on Environmental Quality; Subchapter A – National Environmental Policy Act Emplementing Regulations; Part 1501 – NEPA and Agency Planning; Section (§) 1501.3 – Determine the appropriate level of NEPA review. Available online: https://www.ecfr.gov

42 United States Code (U.S.C.) §§ 4321 et seq. Title 42 - the Public Health and Welfare; Chapter 55 - National Environmental Policy; Subchapters I (Policies and Goals) and II (Council on Environmental Quality); Sections (§§) 4321 et seq. Available online: http://uscode.house.gov

50 Code of Federal Regulations (CFR) § 13.21. Title 50 - Wildlife and Fisheries; Chapter I - United States Fish and Wildlife Service, Department of the Interior; Subchapter B - Taking, Possession, Transportation, Sale, Purchase, Barter, Exportation, and Importation of Wildlife and Plants; Part 13 - General Permit Procedures; Section (§) 13.21 – Issuance of permits. Available online: https://www.ecfr.gov

50 Code of Federal Regulations (CFR) § 22. Title 50 - Wildlife and Fisheries; Chapter I - United States Fish and Wildlife Service, Department of the Interior; Subchapter B - Taking, Possession, Transportation, Sale, Purchase, Barter, Exportation, and Importation of Wildlife and Plants; Part 22 - Eagle Permits. Available online: https://www.ecfr.gov

65 Federal Register (FR) 67249. 2000. Executive Order 13175, Consultation and Coordination with Indian Tribla Governments. Vol. 65, No. 218. November 9, 2000. pp 67249-67252. Available online: https://www.federalregister.gov/

89 Federal Register (FR) 9920. 2024. Permits for Incidental Take of Eagles and Eagle Nests. Vol. 89, No. 29. February 12, 2024. pp 9920-9965. Available online: https://www.federalregister.gov/

Lawrence, E. A. 1990. Symbol of a Nation: The Bald Eagle in American Culture. Journal of American Culture 12(1): 63-69. https://doi.org/10.1111/j.1542-734X.1990.1301_63.x.

Rosenfield, R. N., J. W. Grier, and R. F. Fyfe. 2007. Reducing research and management disturbance. In Bird, D. M. and K. L. Bildstein, editors. Raptor research and management techniques (pp 351-364). Hancock House: Blaine, Washington.

Scott, T. A. 1985. Human Impacts on the Golden Eagle Population of San Diego County. Thesis. San Diego State University, San Diego, California.

The Edison's Electric Institute Avian Power Line Interaction Committee (APLIC), and U.S. Fish and Wildlife Service (USFWS). Avian Protection Plan (APP) Guidelines. Apr. 2005. Available online: https://www.aplic.org/uploads/files/2634/APPguidelines_final-draft_Aprl2005.pdf

US Fish and Wildlife Service (USFWS). 2013. Eagle Conservation Plan Guidance: Module 1 - Land-Based Wind Energy, Version 2. US Department of the Interior, Fish and Wildlife Service, Division of Migratory Bird Management. April 2013. Executive Summary and frontmatter + 103 pp. Available online: https://www.fws.gov/migratorybirds/pdf/management/eagleconservationplanguidance.pdf

US Fish and Wildlife Service (USFWS). 2016a. Programmatic Environmental Impact Statement for the Eagle Rule Revision. December 2016. Available online: https://www.fws.gov/media/final-programmatic-environmental-impact-statement-eagle-rule-revision

US Fish and Wildlife Service (USFWS). 2016b. Bald and Golden Eagles: Population demographics and estimation of sustainable take in the United States, 2016 update. Division of Migratory Bird Management, Washington D.C., USA. Available online: https://www.fws.gov/media/population-demographics-and-estimation-sustainable-take-united-states-2016-update

US Fish and Wildlife Service (USFWS). 2024. Final Environmental Assessment: 2024 Eagle Take Permit Rulemaking. January 2024. Available online: https://www.fws.gov/media/eagle-take-permit-rulemaking-nepa-january-2024

Appendix A. Results of the golden eagle local area population (LAP) analysis for the Plumas-Sierra Rural Electric Cooperative Project

Focal Project: Plumas-Sierra Rural Electric Cooperative system hardening project

Predicted eagle take (annual)	**0.59**

Local Area Population (LAP) Estimates by Local Area Density Unit (LADU):

Focal Project_Density Unit	Estimated Number of Eagles
Plumas-SierraCoop_systemhard_GOEAdist_2024_COASTAL_CALIFORNIA	85.49
Plumas-SierraCoop_systemhard_GOEAdist_2024_GREAT_BASIN	325.95
Plumas-SierraCoop_systemhard_GOEAdist_2024_NORTHERN_PACIFIC_RAINFOREST	0.45
Plumas-SierraCoop_systemhard_GOEAdist_2024_SIERRA_NEVADA	21.65
Plumas-SierraCoop_systemhard_GOEAdist_2024 LAP (total)	**433.53**

1% LAP Benchmark	**4.34**
5% LAP Benchmark	**21.68**
7% LAP Benchmark	**30.35**

Permitted Projects with Overlapping LAPs:

Project ID	Estimated Annual Take	Percent Overlap With Focal Project	Overlapping Area (SqMi)	Overlapping Take
PER0055522	10.03	11.23%	4120.77	1.13
PER1309795	3.54	26.17%	7246.03	0.93
Project 76086D	0.59	5.94%	2213.8	0.04
Project 53540D	0.59	0.66%	246.18	0
Project 02735B	2.4	33.93%	9742.63	0.81
All Projects (total)	17.15			2.91

Known Unpermitted Take Summary

Cause of take	# eagles from 2015-2024
Unknown	62
Electrocution;Poisoned (pesticide)	2
Other	1
Trauma	5
Collision with wind turbine;Infection	0
Electrocution	82
Collision with wind turbine	51
Collision with wind turbine;Poisoned (pesticide)	1
Other;Trauma	1
Collision with wire	3
Collision with vehicle;Poisoned (pesticide)	1
Poisoned (lead)	8
Infection;Trauma	1
Electrocution;Trauma	0
Poisoned (pesticide);Starvation	1
Poisoned (pesticide);Infection;Starvation	1
Collision with vehicle	5
Collision	12
Trauma;Starvation	1
Collision/electrocution	3
10-year total	241
10-year annual average	2.41

LAP Take Results	Number of Eagles (Annual)	Percent of LAP
Permitted Take		
Total Overlapping Take	2.91	0.67%
Focal Project Predicted Take	0.59	0.14%
Total Permitted Take (Focal Project + Total Overlapping Take)	3.5	0.81%
Unpermitted Take	24.1	5.56%