



How You Can Be Involved

Public comments will be considered during the Public Scoping Period and the Draft EIS Public Review and Comment Period. The HCP will be available for review during the Draft EIS Review Period.

Comments Requested: You are invited to provide project relevant information concerning:

- Indiana and Virginia big-eared bats, as well as unlisted bats & birds;
- Wind power and bat & bird interactions;
- Current or planned activities in the subject area and their possible impacts;
- National Register of Historic Places listed or eligible properties;
- Direct, indirect, and cumulative effects of alternatives;
- Adequacy and advisability of proposed minimization and mitigation measures;
- Post-construction monitoring techniques;
- Other environmental issues

Public Involvement Opportunities

- Public Scoping Period – July 22, 2010 to August 23, 2010
- Public Scoping Meeting – August 9, 2010
- Tentative Draft EIS Public Review and Comment Period – October to December 2010
- Tentative Public Comment Meeting on Draft EIS – November 2010

Those wishing to submit comments are encouraged to do so by August 23, 2010:

US Mail

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West Virginia Field Office - USFWS
694 Beverly Pike
Elkins, WV 26241

Fax

304-636-7824

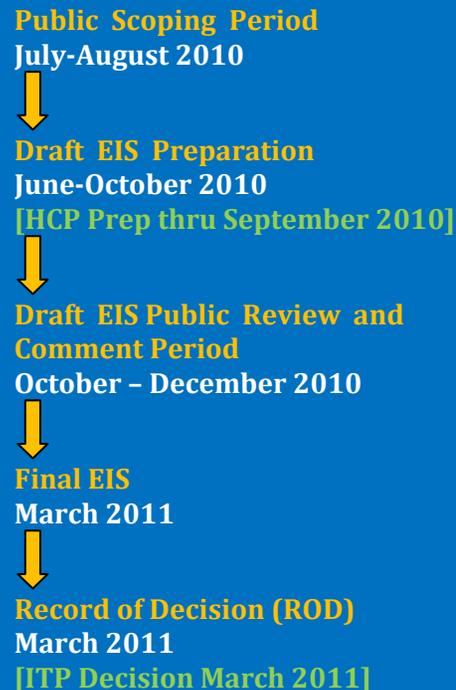
Email

fw5es_wvfo@fws.gov

Website

<http://www.fws.gov/westvirginiafieldoffice>

Tentative Schedule



Habitat Conservation Plan

Incidental Take Permit

Environmental Impact Statement



Endangered Species Act Permitting

The U.S. Fish and Wildlife Service (the Service) is responsible for administering the Endangered Species Act (ESA). An Incidental Take Permit (ITP) is needed if a person or company wants to do something that may result in the “taking” of an ESA protected species. “Take” is defined by the ESA as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct.”

Beech Ridge Energy LLC intends to apply for an ITP for the possible take of endangered Indiana and Virginia big-eared bats from construction and operation of the Beech Ridge Wind Project in Greenbrier and Nicholas counties, West Virginia.

What is an HCP/ITP?

Section 10 of the ESA states that people or companies who want to conduct activities that could put them at risk of unlawful “take” of federally listed endangered or threatened species may apply for an ITP, which protects them from such liability.

HCP/ITP Process. To receive an ITP, the Applicant must first submit a Habitat Conservation Plan (HCP) to the Service. Should the Service approve the HCP, the applicant will receive an ITP. Among other permit issuance criteria, the HCP must minimize and mitigate the taking of listed species to the maximum extent practical. In addition, the “taking” must be a side effect of an otherwise lawful activity, and not the specific purpose of the activity.

What is NEPA?

NEPA stands for the National Environmental Policy Act of 1969 (NEPA). It is a national policy with goals for the protection, maintenance, and enhancement of the environment. The NEPA process helps agencies make decisions that are based on the understanding of environmental consequences and to take actions that project or minimize impacts to the environment.

Required U.S. Fish & Wildlife Service NEPA Review

NEPA Trigger. The Service consideration of an ITP application and associated HCP is defined as a federal action, which means the Service must comply with NEPA.

NEPA Review. The Service has determined that an Environmental Impact Statement (EIS) is an appropriate level of review for this project.

The EIS will evaluate impacts of the proposed federal action (permit issuance), as well as a range of alternatives to that action (including the “no action” alternative). Throughout the NEPA process, there will be formal public scoping and comment periods and the involvement of other agencies. The Service will also develop a Biological Opinion of the ITP’s potential impact on listed species.



What Does an EIS Include?

An EIS includes the identification of the proposed action and purpose and need for the proposed action, alternative identification and a systematic examination of the alternatives’ potential impacts on resources in the human and natural environment. Direct, indirect and cumulative impacts are identified together with methods for avoidance, minimization and mitigation of impacts.

EIS Process

Purpose & Need



Scoping - Public & Agency Meetings



Data Collection



Alternatives Development & Analysis



Environmental Impact Analysis



Draft EIS Published



Public & Agency Review & Meetings



Final EIS Published



Record of Decision (ROD)