

# Windmill farm seeks permit to kill eagles

Peter Fimrite, San Francisco Chronicle, 9-27-13

A large wind farm in Solano County would be the first renewable energy project in the nation to be issued a permit to kill eagles under a plan released Thursday by the U.S. Fish and Wildlife Service.

The proposal, outlined in a draft environmental report, is to issue a golden eagle take permit to the Shiloh IV Wind Project, on 3,500 acres in the Montezuma Hills between Rio Vista and Fairfield.

The unusual plan would allow the company's 50 wind turbines to kill up to five golden eagles over a five-year period in exchange for a series of measures to protect the big birds, including the retrofitting of 133 nearby power poles to prevent electrocutions.

"The bottom line is a permit will help preserve eagles," said Scott Flaherty, the deputy assistant regional director of external affairs for the Fish and Wildlife Service. "I think it really does set a precedent. It shows the service can work with wind energy companies ... and ensure that we conserve eagles and other wildlife."

The report, which will now go through a 45-day public comment period, analyzed four alternatives, including the possibility of denying the permit application. In addition to retrofitting the Pacific Gas and Electric Co. power poles, Shiloh, which is an affiliate of EDF Renewable Development, has agreed to use audio or visual deterrence measures to scare away eagles, migratory birds and bats.

The 102-megawatt plant was built in 2012 adjacent to three other existing wind energy facilities. The company's 153-foot-long turbine blades replaced 230 turbines built on the site in the 1980s. Each new turbine can generate as much electricity as 15 older windmills.

The Shiloh facilities, which were constructed west of Rio Vista starting in 2006, are part of a statewide program to increase renewable-energy generation and combat global warming. State law requires utilities to get 33 percent of their electricity from renewable sources by the end of 2020. Roughly 20 percent of PG&E's electricity sales now come from renewable energy.

The problem is that windmills do kill birds, which have a tendency to fly into the blades. Eight eagles a year are killed at the four Shiloh plants, according to Fish and Wildlife estimates. About 16 eagles die annually in the entire Montezuma Hills region, which has several other wind farms.

Eric Davis, the service's assistant regional director for migratory birds and state programs, said investigations of bird deaths have been initiated and turned over to the Department of Justice, but there have yet to be any prosecutions under the federal Bald and Golden Eagle Protection Act.

"There is no law out there that says this project requires a take permit, (but) eagles are protected," Davis said. "If they did not receive a permit, they could build the project and they would be in compliance with the Bald and Golden Eagle Protection Act until the first eagle was taken. Then they would be subject to enforcement action."

The Audubon Society and other conservation organizations have been pushing for stronger regulations. Davis said he hopes that approval of the take permit for Shiloh will lead to agreements with other windmill companies around the state.

The report is at <http://www.fws.gov/cno/pdf/ShilohIV-ECP-DEA.pdf>.