



United States Department of the Interior



FISH AND WILDLIFE SERVICE

New England Field Office
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<http://www.fws.gov/newengland>

July 19, 2011

Mr. David D. Dorocz
Environmental Division Director
Naval Station Newport
690 Peary Street
Newport, Rhode Island 02841-1522

Dear Mr. Dorocz:

This responds to your April 19, 2011 letter conveying several avian and bat survey reports, in preparation for an Environmental Assessment being prepared in support of your proposal to build wind turbines at the Naval Station in Newport, Rhode Island.

According to the information provided, up to six commercial-scale wind turbines are proposed at 12 potential locations at the Naval Station. The following comments are provided in accordance with the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531, *et seq.*), the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-712), the Bald and Golden Eagle Protection Act of 1940 (U.S.C. 668-668d, 54 Stat. 250) as amended, and the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*).

The U.S. Fish and Wildlife Service (Service) has responded in writing to two previous coordination efforts from the Naval Station. One correspondence was dated December 17, 2009, and was in response to a request on the occurrence of threatened and endangered species in the project area. The second correspondence was dated March 26, 2010 and was in response to your request for comments on your Draft Avian and Bat Study Plan (Plan).

The submitted Naval Station bird and bat survey reports include: *Fall 2009 Bird and Bat Biological Survey Report*; the *Bird and Bat Biological Survey Report for Winter, Spring, Summer, Fall 2010*; and the *Preliminary Final Avian Radar Survey Report for the Development of Wind Energy Facilities at Naval Station Newport, Rhode Island, Fall 2010*. In addition, results from fall 2010 and spring 2011 avian radar surveys, as well as results from a fall 2010 and spring/summer 2011 acoustic monitoring effort for bats, should be forwarded to the Service once the reports are complete.

JUL 22 2011

Mr. David D. Dorocz
July 19, 2011

2

General Comments

The Service supports the development of wind power as an alternative energy source. However, wind facilities can have negative impacts on wildlife and their habitats if not sited and designed with potential wildlife and habitat impacts in mind. The Service released Draft Voluntary, Land-Based Wind Energy Guidelines (draft Guidelines) in February 2011. The draft Guidelines are designed to be used by all utility- and community-scale land-based wind energy projects to reduce potential impacts to fish and wildlife, regardless of whether they are proposed for private or public lands. The draft Guidelines include recommendations on measures to avoid, minimize and compensate for effects to fish, wildlife and their habitats. The draft Guidelines are intended to promote compliance with relevant wildlife laws and statutes, including the ESA, the MBTA, and the Bald and Golden Eagle Protection Act. The Service encourages project proponents to use the process described in these draft voluntary Guidelines to address risks to fish and wildlife resources. The draft Guidelines may be found at http://www.fws.gov/windenergy/docs/Wind_Energy_Guidelines_2_15_2011FINAL.pdf.

Federally Listed Species

As indicated in our December 27, 2009 letter to Mr. Paul Myers of Tetra Tech, Inc., no federally listed threatened and endangered species are known to occur at or in the immediate vicinity of the Newport Naval Station, and there is no critical habitat designated pursuant to section 4 of the ESA in Rhode Island. The threatened piping plover nests on Rhode Island coastal beaches, approximately 4.1 miles to the east, but plovers do not breed on the Narragansett Bay side of Aquidneck Island. Endangered roseate terns are not known to nest in Rhode Island, but do occur along the coastline during annual spring and fall movements to and from wintering, breeding and fall staging areas. The Service does not have any information on the occurrence of piping plovers and roseate terns in the immediate vicinity of the project location or in Narragansett Bay in general. Moreover, we believe that the potential occurrence of these species in the Naval Station project area is extremely unlikely. The Service concurs with the conclusion on page 5 of the Plan that no suitable habitat for any federally listed bird species occurs on the base.

Other Migratory Birds

The *Bird and Bat Biological Survey Report* (Report) documents avian species that were most commonly observed during the various surveys. The Report should include a list of all species observed for each survey along with their frequency and point locations. This list should be used to determine if there are any Birds of Conservation Concern (http://library.fws.gov/bird_publications/bcc2008.pdf) within the project area that could be impacted by the project.

The Report states that 26 separate surveys of 12 point count locations were conducted at the Naval Station between January 13 and October 7, 2010. The most commonly recorded species included herring gull (*Larus argentatus*), European starling (*Sturnus vulgaris*), Canada goose (*Branta Canadensis*), and rock pigeon (*Columba livia*). Herring gull, Canada goose and European starling were the species most often seen flying within the rotor-swept zone. The 12 points surveyed resulted in an overall relative abundance of 885 birds/location. Point count

Mr. David D. Dorocz
July 19, 2011

3

locations 6 and 12, both coastal habitats, documented the greatest number of individuals. Point count locations 11 and 8, both shrubland habitat, documented the greatest species richness.

As stated in the Service's March 26, 2010 letter, the peregrine falcon (*Falco peregrinus*) is likely to occur at the Naval Station. A pair of peregrines occurs 1.2 miles from the Newport Naval Station on the Newport-Jamestown (Claiborne Pell) Bridge, and has nested there annually since 2001. During the nesting season (April 1-July 15), these birds can be assumed to forage widely within at least a 5-mile radius of the bridge. They are likely to occur at the Naval Station if pigeons, starlings or other flocking birds are utilizing the base. The Report states that peregrines were detected during surveys in February, April, June, and September, and they were observed flying within the rotor-swept zone twice in September.

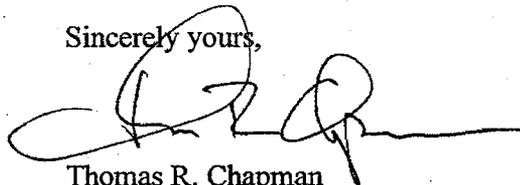
We recommend that, after completion of the spring/summer 2011 monitoring, a risk assessment analysis based on all collected data be completed and submitted that addresses potential project impacts, and potential measures to minimize any such impacts.

Post-construction Monitoring

The Service previously recommended that a comprehensive post-construction avian and bat monitoring and protection plan be developed. The Naval Station has agreed to coordinate the development of such a plan with the Service. We recommend that this plan be included in the Environmental Assessment.

We appreciate the opportunity to provide information relative to wildlife issues, and thank you for your interest in these resources and for continuing to coordinate with the Service. If you have any questions, please contact Ms. Maria Tur of my office at 603-223-2541 for further assistance.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'T. Chapman', with a long horizontal line extending to the right.

Thomas R. Chapman
Supervisor
New England Field Office