



United States Department of the Interior



FISH AND WILDLIFE SERVICE

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

March 26, 2010

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

Dear Mr. Dorocz:

This responds to your January 29, 2010 letter conveying the Draft Avian and Bat Study Plan, Naval Station Newport Wind Energy Project, Newport, Rhode Island (Draft Plan), prepared by Tetra Tech, Inc. of Portland, Maine. Your letter requests our review and comment on the Draft Plan.

According to the information provided, up to six commercial scale wind turbines are proposed on 18 potential locations of primarily developed land 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 (16 U.S.C. 703-712), the Bald 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.*)

General Comments

As one of the largest electrical users in Rhode Island, Naval Station Newport is proposing to reduce its energy consumption through the installation of commercial scale wind turbines. All infrastructure, including transmission lines and substation facilities proposed for Naval Station Newport, will be constructed on previously developed land, and therefore habitat fragmentation is not a concern at this wind facility. However, turbines are expected to be located within 100 feet of the shoreline of Narragansett Bay. Narragansett Bay is located in one of the most industrialized and developed regions of New England. It is also the largest estuary in New England, with 30 separate islands that contain a variety of habitat types that provide important nesting, wintering and foraging areas for an array of bird species. The U.S. Fish and Wildlife Service (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.

We are pleased that Naval Station Newport is considering 18 potential locations where the six turbines may be placed, and we are hopeful that the locations that minimize risk to wildlife species will be selected. In addition, we encourage you to consider other sources of renewable energy, such as solar, or alternative turbine types that may minimize impact to wildlife and meet your renewable energy goals. We understand through personal communication between Service staff and Mr. Paul Myers of Tetra Tech, Inc. that other military facilities are considering the use of vertical wind turbines that may generate the same power and limit bird strikes.

The avian and bat surveys proposed in the Draft Plan are said to be consistent with guidelines and/or protocols established at other proposed on- and offshore wind developments in the United States (see page 7). However, according to the project schedule on page 11 of the Draft Plan, it appears that surveys will be limited to two fall seasons, and one winter, summer and spring. Service Interim Guidelines (2003) recommend that spatial and temporal use of airspace by birds and bats should be examined for a three-year period in order to adequately address seasonal and annual differences in areas of high seasonal concentration. The Draft Plan states that Narragansett Bay is regionally known to be an important area for many birds. It also acknowledges that little specific data exists on bats in the project area, but that it is expected that most of the more common bat species in Rhode Island occur or migrate through the project area.

We applaud the use of all existing data sets referenced on page 8, and recommend that any known concentrations of nesting birds in proximity to the Naval Station (colonies of colonial nesting species, concentrations of wintering waterfowl, etc.) be afforded special emphasis in any subsequent risk analyses that are conducted.

Federally-Listed Species

As indicated in our December 27, 2009 letter 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. Accordingly, we concur with the statement on page 5 of the Draft Plan that no suitable habitat for any federally-listed bird species occurs on the base.

Recently ESA Delisted Species

The federally-protected bald eagle is an extremely rare species in Rhode Island. Only a single nesting pair occurs in the state, at the Scituate Reservoir, a distance of over 20 miles from the Naval Station. Similarly, there are no known wintering areas used by the bald eagle in the vicinity of Newport. Although we are pleased that the proposed avian surveys will address

raptors and raptor migration periods, we do not anticipate that the Naval Station provides habitat for the bald eagle and we do not expect that eagles will be detected, other than occasional, transient individuals.

Unlike the bird species discussed above, the peregrine falcon 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 avian studies proposed in the Draft Plan, in particular the point counts, and the raptor surveys should be adequate in detecting this species.

Other Migratory Birds and Bats

The Newport Naval Station is located near the mouth of Narragansett Bay, a large estuary in which occur about 30 named islands. A variety of migratory birds, including gulls, waterfowl, passerines and wading birds, nest throughout the Bay shoreline and on its islands. The proximity of the wind turbines to open waters of Narragansett Bay makes it possible that birds and bats may move through the project area during daily or seasonal migrations. To what extent migratory birds pass through the proposed project area is unknown, because we are unaware of any location-specific bird studies associated with this site. The location of various habitats relative to the proposed turbines, and the potential for birds and bats to encounter the turbines as they move back and forth between habitats, should be considered.

Operation of wind turbines can adversely affect a variety of wildlife species, including migratory birds and bats. In order to assess the level of risk and the scope of species potentially present in a project area, the Service recommends that the spatial and temporal uses of the rotor-swept zone by wildlife be identified and evaluated, e.g., by a qualified observer, or perhaps through the use of radar or other remote-sensing techniques.

The Draft Plan proposes to 1) review existing research; 2) conduct avian point counts for spring/fall migratory birds, breeding birds and summer/winter residents; 3) conduct spring and fall raptor migration surveys; and 4) conduct bat acoustic monitoring. We note that the Draft Plan does not include the use of radar as part of its pre-construction surveys. Bird migration is dependent upon a number of factors including the species, weather conditions and time of day or year. Many species of birds migrate at night and during inclement weather. Without radar, their movements through and around the project area will not be accounted for. We recommend that radar be used year-round, 24/7, to determine use of the air space. All data should be correlated to weather conditions. Service Interim Guidelines (2003) recommend three years of data as a standard for determining the presence and/or magnitude of bird and bat migration in areas of high seasonal concentrations. This recommendation is not intended to be a strict requirement for all areas, if a shorter collection period can be expected to yield sufficient data.

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Pre-construction surveys will inform the project proponent, as well as the Service, of potential wildlife conflicts during the site selection and planning stages. With this information, risks can be assessed, and methods to avoid and minimize impacts to wildlife may be developed. Without pre-construction surveys, unexpected mortality of birds or bats may warrant operational adjustments to reduce or avoid further impacts to wildlife. Absent adequate pre-construction surveys and careful analysis of subsequent data, the siting, construction and operation of a wind project may result in the unintended mortality of wildlife in violation of federal laws, such as the Migratory Bird Treaty Act or the Endangered Species Act.

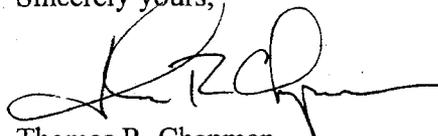
Post-construction Monitoring

As the number of wind facilities increases, correlating wind facility wildlife mortality events to weather and topographic information will be vital to the further development of deterrent and prevention techniques. Consequently, for all wind power projects that proceed to construction, we recommend post-construction monitoring of bird and bat mortalities. We are available for technical assistance in the development of post-construction surveys in order to ensure that impacts to birds and bats will be avoided and/or minimized.

We appreciate the opportunity to provide information relative to commercial scale wind turbines and wildlife issues, and thank you for your interest in these resources.

For further information regarding endangered species, please contact Mr. Michael Amaral, and for further assistance relative to migratory birds or to coordinate a site visit, contact Ms. Maria Tur at the contact information provided above. You may also visit the Wind Energy page on the New England Field Office's website for useful links, including guidance documents for avoiding and minimizing impacts to wildlife: <http://www.fws.gov/newengland>.

Sincerely yours,



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Supervisor
New England Field Office

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cc: Chris Raithel RIDEM – Great Swamp
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Reading file

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