United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
4625 Morse Road, Suite 104
Columbus, Ohio 43230
(614) 416-8993 / FAX (614) 416-8994

March 24, 2011

Mr. David De Caro
Iberdrola Renewables
201 King of Prussia Rd., Suite 500
Radnor, PA 19087

TAILS : 31420-2011-TA- 0398

Dear Mr. De Caro:

This letter is in response to your March 10, 2011 email, and our in-person meeting on March 3, 2011 regarding the proposed Blue Creek wind power project, Paulding and Van Wert Counties, Ohio. The U.S. Fish and Wildlife Service (Service) previously provided comments on phase I of the Blue Creek project in letters dated February 3 and November 17, 2009, January 26, 2010, and February 15, 2011. The Blue Creek wind power project has been issued a Certificate of Environmental Compatibility and Need from the Ohio Power Siting Board for 152 turbines. Recent discussions had indicated that up to 23 new turbine locations would be added to the Blue Creek project, but recent refinements have reduced that number. Based on the information provided in your email, you proposed to amend the certificate by adding nine turbines to the Blue Creek project, all of which will be located entirely within the existing boundaries. As included in your e-mail, in order to avoid and minimize the potential for impacts to Indiana bats (*Myotis sodalis*), a Federal endangered species, all new turbines will be located greater than 1,000 feet from forested areas, tree lines, and stream corridors. Further, because all facilities will be located within the existing permitted project boundaries, no additional bat or bird surveys are recommended.

ENDANGERED SPECIES COMMENTS:

Indiana bat Maternity Habitat

The Service agrees that, by placing all new turbines greater than 1,000 feet from forested areas, tree lines, and stream corridors, potential impacts to Indiana bats during the maternity season will be sufficiently minimized, and that take during the maternity period is unlikely to occur.

Indiana Bat Migratory Habitat

Wind energy facilities in various habitat types across the U.S. and Canada have been documented to cause "widespread and often extensive fatalities of bats" (Arnett *et al.* 2008), primarily during the fall *migratory* season. Further, an Indiana bat mortality was recently detected at a wind power facility in Indiana, confirming suspicions that migrating Indiana bats are also susceptible to mortality from wind turbines. At this time, research into the mechanisms that cause mortality of bats at wind power sites is still ongoing, and few operational tools exist to avoid and minimize take — feathering of turbines during times when bats are most at risk has been shown to reduce mortality in some situations. Based on this, we are advising all operating wind farms and wind farms in planning stages within the range of the listed bats that lethal take is a possibility without curtailment of operations at night during the migratory period regardless of whether summer habitat is present. Due to the potential of take during spring and fall migration, we recommend developers evaluate their exposure to the prohibitions of ESA. This is a risk

management decision the developer must make. The Service advises you to consider the following two options to ensure violations of the Endangered Species Act (ESA) Section 9 take prohibition do not occur:

1) Feather turbines during low wind speed conditions at night during the fall and spring migratory seasons as a way to proactively and definitively avoid take of Indiana bats (and other species of bats as well). Based on the Indiana bat Draft Recovery Plan First Revision (Service, 2007), fall migration generally occurs between August 1 and October 15, and spring migration generally occurs between April 1 and May 15.

2) Wind facility developers can work with the Service to apply for an Incidental Take Permit by submitting a Habitat Conservation Plan (HCP), as required under Section 10 of the Endangered Species Act. A HCP can be used to address Indiana bat presence during both summer foraging and migration periods. A HCP does typically require some time and survey effort to complete. The Service's Midwest Region is currently developing a regional HCP for wind power projects and listed species, and this project may be submitted for consideration under this regional plan as well.

If you plan to implement either of these two options, please contact us for further information.

The proposed project lies within the range of the **rayed bean** (*Villosa fabalis*), a freshwater mussel that is currently proposed for listing as federally endangered. The rayed bean is generally known from smaller, headwater creeks, but records exist in larger rivers. They are usually found in or near shoal or riffle areas, and in the shallow, wave-washed areas of lakes. Substrates typically include gravel and sand, and they are often associated with, and buried under the roots of, vegetation, including water willow (*Justicia americana*) and water milfoil (*Myriophyllum* sp.). Should the proposed project directly or indirectly impact any of the habitat types described above, we recommend that a survey be conducted to determine the presence or probable absence of rayed bean mussels in the vicinity of the proposed site. The surveys must be conducted by a permitted surveyor (see attached list) and be designed and conducted in coordination with the Endangered Species Coordinator for this office.

Thank you for the opportunity to provide comments on this proposed project. Please contact biologist Megan Seymour at extension 16 in this office if we can be of further assistance.

Sincerely,

Mary Knapp, Ph.D.
Supervisor

Cc: Ms. Jennifer Norris, ODNR, 8589 Horseshoe Road, Ashley, OH 43003
Mr. Brian Mitch, ODNR, REALM, Columbus, OH
Mr. Stuart Siegfried, PUCO, 180 E. Broad St., Columbus, OH 43215