Changes in the Regulations

Final “Duration Rule” - Published December 9, 2013

- extends the maximum term for programmatic permits from 5 to 30 years
- allows programmatic permits to be transferable to new project owners
- increased permit fees
  - $36,000 for processing programmatic permit application
  - $2,600 administration fee for each 5-year review
Regulation Changes

Court Decision Overturned “Duration Rule” on August 11, 2015

Order granting in part and denying in part motions for summary judgment....

What does this mean to me?
Regulation Changes

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We solicited additional public input on changes to the 2009 permit regulations

- series of public scoping meetings - Summer 2014
- Draft Programmatic Environmental Impact Statement – coming soon
Additional Rule Changes?

FWS solicited public comments concerning

- How the Eagle Act’s language regarding preservation of eagles should be interpreted and applied;
- The level of impacts that trigger compensatory mitigation;
- Issuance criteria for programmatic permits; and
- Possible mechanisms for streamlining permits

Draft EIS will analyze effect of 30 year permits
Eagle Take Permits Updates CA & NV

Alta East Wind Project

- Draft EA available – public comments accepted until Dec. 28th
- Estimated take of 3 eagles over 5 years

Tehachapi Wind Resource Area, Kern County, California
Eagle Take permits updates CA & NV

Preparing EA’s
- Solano Wind Farm - CA
- Spring Valley Wind – NV
- Ocotillo Express Wind Project – CA
- Rising Tree Wind Project – CA

Preparing EIS’s
- PG&E – Electric utility – CA
- Hycroft Gold Mine – NV
  - Cooperating Agency with BLM

How will this affect the human environment?