

Joint Reservoir Committee and Authority Board Meeting

Agenda Item 2.4: Eagle Conservation Plan

January 19, 2024



Background

- USFWS implements the Eagle Act program and issues permits for short- and long-term disturbance
 - No net loss standard
- Authority currently holds an Eagle Act permit for geotechnical activities through 2026
- Staff proposing to submit Eagle Conservation Plan which would cover Project construction and operations

Construction and Operations Effects to Eagles

- Golden eagles
 - Construction
 - Disturbance of three nests
 - “Disturbance” is defined as activities within 1 mile of active nest
 - Operations (including recreation)
 - Disturbance of up to two nests
 - Loss of three territories that overlap with the reservoir footprint
- Bald eagles
 - Construction
 - Removal of one nest in the Golden Gate Dam footprint
 - Removal during the non-nesting season considered “take” under Eagle Act
 - Operations (including recreation)
 - Disturbance of one nest
 - “Disturbance” is defined as activities within 660 feet of active nest
 - Increase in foraging habitat (benefit)

Take Minimization Measures

- Measures to reduce amount of take include measures from the Final EIR/EIS:
 - Continued surveys
 - Avoid, minimize and compensate for nests and habitat lost that are important to eagles
 - Construction and maintenance best management practices
 - Removal of vegetation important to eagles during the non-breeding season
 - Minimize use of rodenticides
 - Construction of overhead power lines following practices to reduce bird collisions
- Additional measures specific to Plan:
 - Conduct activities in the non-breeding season to the extent possible
 - Implement nest buffers for active nests to the extent possible
- Implement adaptive management

Mitigation Requirements

- Nest disturbance
 - USFWS in-lieu fee program for power-pole retrofit
 - Uses standard USFWS Resource Equivalency Analysis methodology for mitigation (used nation-wide)
 - Mitigation can roll forward if not used
- Habitat loss for golden eagle
 - Acquisition and permanent protection/management of breeding and foraging habitat
 - Also required in Final EIR/EIS mitigation measures and would be stacked with other habitat/species measures
- Costs are within the overall mitigation cost estimate

Requested Action

- Authorize the Executive Director to submit the Project's Eagle Conservation Plan for an Eagle Act Permit for Project construction, operations and maintenance activities.