



United States Department of the Interior

FISH AND WILDLIFE SERVICE
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Environment, Health,
& Safety Division

August 10, 1994

Mr. John Clements, Acting Director
Division of Project Review
Federal Energy Regulatory Commission
825 North Capitol Street N.E.
Washington, D.C. 20426

Attention: Tom Dean

FWS Reference: 1-3-94-I-688

Dear Mr. Clements:

This response is the U.S. Fish and Wildlife Service (Service) concurrence to the Federal Energy Regulatory Commission's (FERC) Biological Assessment prepared to complete informal consultation on threatened and endangered species for the environmental assessment of the Skagit River Project, FERC 553. The cover letter is dated May 31, 1994 and it and the Biological Assessment were received in this office on June 6, 1994. The Service has reviewed the Biological Assessment of potential project impacts of the Skagit River Project (FERC 553) to listed species and concurs with FERC's conclusion that for each species considered, licensing, operating, and maintaining the project, under the terms of the Skagit Settlement Agreement, and with FERC's recommended measures, is not likely to adversely affect these species. The species assessed include:

- | | |
|-----------------------|---------------------------|
| Peregrine falcon, | listed as endangered; |
| Bald eagle, | listed as threatened; |
| Northern spotted owl, | listed as threatened; |
| Marbled murrelet, | listed as threatened; |
| Grey wolf, | listed as endangered; and |
| Grizzly bear, | listed as threatened. |

The Service appreciates FERC's efforts to document the "not likely to adversely affect" conclusion. The information provided in the Biological Assessment provides substantial support for the conclusion that was less clear in the draft environmental assessment.

The Service has the following specific comments to the Biological Assessment:

The assessment indicates that bald eagles ". . . are not known to have collided with lines. . . and are persisting well despite the presence of project transmission lines. . ." Any judgements regarding eagle collisions should have data to back them up. No surveys for bird strikes have been

conducted to our knowledge, so bird mortalities due to collision with powerlines would only be known by coincidental observation. The persistence, and increase, of the bald eagle population is best attributed to the overall habitat suitability in the Skagit River basin than to any single variable, including the presence of powerlines.

The Service recommends that identifiers, such as aviation spheres, be attached to powerlines at each location where the lines cross the river and that the land acquisition group consider road closures as a management stratagem to protect listed species on the project's wildlife management lands.

The Service finds that the detailed information included in the draft environmental assessment and the specific information contained in the Biological Assessment supports the FERC staff's conclusion of "not likely to adversely affect".

This concludes informal consultation pursuant to Section 7(a)(2) of the Endangered Species Act of 1973, as amended. This project should be re-analyzed if new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not considered in this consultation, if the action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this consultation, and/or if a new species is listed or critical habitat is designated that may be affected by this project.

Thank you for providing this assessment for our review. Should you have any questions about this letter or your responsibilities under the Act, please contact Steve Fransen at the letterhead telephone or address.

Sincerely,

A handwritten signature in black ink, appearing to read "D. C. Frederick", written over a horizontal line.

David C. Frederick
State Supervisor

sf/zt
FERC/1-3-84-I-688/Skagit 553