



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Raleigh Field Office
Post Office Box 33726
Raleigh, North Carolina 27636-3726

March 17, 2014

Michelle V. Morin
Bureau of Ocean Energy Management
Office of Renewable Energy Programs
Environment Branch for Renewable Energy
381 Elden Street, HM 1328
Herndon, VA 20170-4817

RE: Biological Assessment for Commercial Lease Issuance and Site Assessment Activities on the Atlantic Outer Continental Shelf, Offshore North Carolina, South Carolina, and Georgia

Dear Ms. Morin:

This is in response to the Bureau of Ocean Energy Management's (BOEM) February 12, 2014 letter and Biological Assessment (BA), requesting consultation on the effects from proposed activities in areas on the Atlantic Outer Continental Shelf (OCS), Offshore North Carolina, South Carolina, and Georgia. The U.S. Fish and Wildlife Service (Service) has reviewed the BA and has comments for BOEM's consideration. Our review and comments are provided pursuant to section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531-1543). Service programs involved in preparation of this letter include Ecological Services offices in Raleigh, NC, Charleston, SC, and Athens, GA, along with the offices of Migratory Birds, and Refuges.

Federally Protected Species

The Service has reviewed available information on federally-threatened or endangered species known to occur offshore of North Carolina. Listed species under our jurisdiction that occur in the area include the West Indian manatee (*Trichechus manatus*), Bermuda petrel (*Pterodroma cahow*), piping plover (*Charadrius melodus*), roseate tern (*Sterna dougallii*), Kirtland's warbler (*Setophaga kirtlandii*). Also, on June 21, 2012, The Service issued publication of the 90-day Finding on a Petition to List the Black-Capped Petrel (*Pterodroma hasitata*) as Endangered or Threatened (77 FR 120: 37367). On September 30, 2013, the red knot (*Calidris canuta rufa*) was proposed to be listed as threatened under the ESA.

Whales, shortnose sturgeon (*Acipenser brevirostrum*), Atlantic sturgeon (*Acipenser oxyrinchus*), and sea turtles in the water are under the jurisdiction of NOAA Fisheries' Protected Species Division. Please contact them concerning these species.

BOEM has made a determination of May Affect, Not Likely to Adversely Affect the Bermuda petrel, black-capped petrel, Kirland's warbler, roseate tern, piping plover, red knot. For the West Indian manatee and piping plover critical habitat, BOEM has determined that the project will have No Effect.

Service Comments

As we stated in our July 8, 2013 letter concerning the list of species to be considered in the BA, the Service is concerned mainly with the potential effects of lighting and collisions with towers on listed bird species.

In Section 4.2.1, the February 2014 BA discusses the potential effects of construction, lighting, collision, micro wind turbines, tower decommissioning, and discharge of waste materials and accidental fuel leaks. Under lighting, the BA states that red flashing lights would be used at all of the meteorological towers to reduce the risk of bird collisions. In addition, any additional lights on towers and support vessels will be used only when necessary and will be hooded downwards and directed when possible to reduce upward illumination and illumination of adjacent waters. We recommend that these lighting commitments be included in Section 6 of the BA.

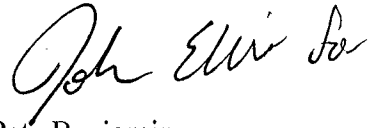
The discussion about collisions states that by placing 16 meteorological towers over an area of approximately 960,288 hectares, it is unlikely that birds will routinely encounter these structures. The Service agrees with this assessment of risk of general collisions with met towers.

Summary

With the commitments made in the BA, the Service concurs with BOEM's determination that commercial wind lease issuance and site assessment activities on the Atlantic OCS may affect, but will not likely adversely affect the Bermuda petrel, black-capped petrel, Kirland's warbler, roseate tern, piping plover, and red knot. For the West Indian manatee and for piping plover critical habitat, the Service concurs with BOEM's determination of no effect.

Thank you for the opportunity to review the BA. If you have any questions, please contact Kathy Matthews at (919) 856-4520, x. 27 or kathy_matthews@fws.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Pete Benjamin". The signature is written in a cursive, flowing style.

Pete Benjamin
Field Supervisor
Raleigh Ecological Services Office

cc:

Fritz Rohde, NMFS, Pivers Island

Pace Wilbur, NMFS, Charleston, SC