



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Washington Fish and Wildlife Office
510 Desmond Dr. SE, Suite 102
Lacey, Washington 98503

FEB 27 2015

In Reply Refer to:
01EWF00-2015-I-0195-R001

Jennifer Hill, Chief
Northwest Branch
Division of Hydropower Licensing
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Dear Ms. Hill:

Subject: Hancock Hydroelectric Project No 13994, Letter of Concurrence

This letter is in response to your February 11, 2015 request for our concurrence with your determination that the proposed licensing of the Hancock Hydroelectric Project No. P-13994 in Snohomish County, Washington, “may affect, but is not likely to adversely affect” the federally listed northern spotted owl (*Strix occidentalis caurina*). Effects would likely occur from blasting during the northern spotted owl breeding season from March 1 through July 15. On January 20, 2015, we wrote a letter concurring with your “may affect, not likely to adversely affect” determination for northern spotted owls that included a timing restriction on blasting. Your February 11, 2015 letter proposes an alternative to the timing restrictions on blasting and offers analysis in support of the “may affect, not likely to adversely affect” determination.

On January 9, 2015, the Public Utility District No. 1 of Snoqualmie County (applicant) filed a letter with the Commission proposing the project with no timing restrictions on blasting. On February 5, 2015, Commission staff held a teleconference with the applicant, the U.S. Fish and Wildlife Service, and the Washington Department of Fish and Wildlife to discuss whether this proposed alternative would have adverse effects on spotted owls. Based on the teleconference, the applicant filed a new proposal on February 9, 2015 that has no timing restrictions on blasting, additional conservation measures, and includes analysis supporting the assertion that this project would not have adverse effects on northern spotted owls.

This request for informal consultation was submitted and completed in accordance with section 7(a)(2) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*). A complete record of this consultation is on file at the Washington Fish and Wildlife Office, Lacey, Washington.

We believe that sufficient information has been provided to determine the effects of the proposed action without timing restrictions on blasting, and to conclude whether it would adversely affect northern spotted owls. Our concurrence is based on the December 11, 2014 and February 12, 2015 letters from the Commission, a site visit conducted on May 22, 2014, with SnoPUD staff, a February 5, 2015 teleconference, an aerial map of the area dating from 2006, generated by our office, the EA, and successful implementation of conservation measures discussed in the most recent letter from the Commission.

EFFECTS TO NORTHERN SPOTTED OWLS

Effects and Disturbance

Disruption of northern spotted owl nesting behavior can result from blasting. Disturbance during the nesting season can result in a flush response which has the potential for significant effects to northern spotted owls due to reduced hatching success, fitness, or survival of nestlings. The U.S. Fish and Wildlife Service has determined that blasting within a 0.25 mile radius of nesting northern spotted owls could result in significant behavioral responses (e.g., flushing) from exposure to blast noise.

The project area and surrounding area has experienced intensive timber harvest over the years. Habitat maps from 2006 show small, highly fragmented patches of suitable habitat occurring within a one mile radius of the project. Based on habitat identified on these maps, it would be highly unlikely for northern spotted owls to occupy these small patches for nesting, roosting, or foraging. Additional timber harvesting has occurred since 2006, further reducing the likelihood of spotted owls using these patches. A northern spotted owl site center was identified approximately two miles from the nearest project feature in 1992, but no detections have occurred since then.

The likelihood that northern spotted owls would use the area within 0.25 miles of the project site for nesting, roosting, or foraging is extremely low. The blasting plan for this alternative includes the use of blast mats and stemming to minimize the distance that noise would travel. Topography and vegetation would provide additional protection from disturbance due to blasting. Therefore, even though the blasting may occur within the breeding season, the likelihood of disturbance that could disrupt critical life history behaviors is also extremely low. We therefore conclude that the effects of blasting on northern spotted owls would be discountable.

Conclusion

This concludes consultation pursuant to the regulations implementing the Endangered Species Act (50 CFR 402.13). Our review and concurrence with your effect determinations is based on the implementation of the project as described. It is the responsibility of the Federal action agency to ensure that projects that they authorize or carry out are in compliance with the regulatory permit and/or the Endangered Species Act, respectively. If a licensee or the Federal action agency deviates from the measures outlined in a permit or project description, the Federal action agency has the obligation to reinitiate consultation and comply with section 7(d).

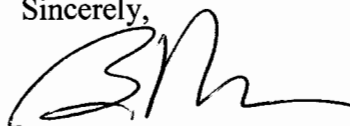
Jennifer Hill, Chief


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This project should be re-analyzed and re-initiation may be necessary if 1) new information reveals effects of the action that may affect listed species or critical habitat in a manner, or to any extent, not considered in this consultation, 2) if the action is subsequently modified in a manner that causes an effect to a listed species or critical habitat that was not considered in this consultation, and/or 3) a new species is listed or critical habitat is designated that may be affected by this project.

If you have any questions about this letter or our joint responsibilities under the Endangered Species Act, please contact Lou Ellyn Jones at 360-753-5822 or Tim Romanski at 360-753-5823.

Sincerely,

A handwritten signature in black ink, appearing to read "ERICKERSON".

 Eric V. Rickerson,
Washington Fish and Wildlife Office

cc:

FERC, Washington, DC (K. Wolcott)

Snohomish County PUD (Binkley, Pressler)

Document Content(s)

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