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May 9, 2012

Division of Migratory Bird Management,
Attn: "Docket Number FWS-R9-MB-2011-0054"
U.S. Fish and Wildlife Service,
4401 N. Fairfax Drive, MBSP- 4107,
Arlington, Virginia 22203

Dear U.S. Fish and Wildlife Service

Please accept this correspondence on behalf of the Homestead Valley Community Council as written comments to the proposed Eagle Permit Regulation changes, docket number FWS-R9-MB-2011-0054.

Homestead Valley Community Council, also known as HVCC, was formed in 1997 by the four southern California Homestead Valley communities of Yucca Mesa, Flamingo Heights, Landers, and Johnson Valley in the high desert of San Bernardino County. HVCC is comprised of delegates from each of the four Community Associations in a collaborative effort to address larger matters of mutual interest to our county, state, and federal lawmakers.

In 1782, the Continental Congress adopted the bald eagle as the symbol of our emerging nation and the freedoms it promised. In 1940, to protect this national symbol from extinction, Congress enacted legislation known as *the **Bald Eagle Protection Act***. Then in 1962, the act was amended to include protection for the golden eagle and today is known as the ***Bald and Golden Eagle Protection Act***.

U.S. Fish and Wildlife Service issued new eagle take permit regulations in September 2009, extending permit tenure from 90 days to up to 5 years for purposes of hazing eagles. Then it was clear that U.S. Fish and Wildlife Service had serious concerns over consideration of permit tenure longer than 5 years, stating:

"the rule limits permit tenure to five years or less because factors may change over a longer period of time such that a take authorized much earlier would later be incompatible with the preservation of the bald eagle or the golden eagle. Accordingly, we believe that five years is a long enough period within which a project proponent can identify when the proposed activity will result in take."

Now U.S. Fish and Wildlife Service has changed its position on the dangers of eagle take permits extended beyond 5 years, and is recommending revisions to the 2009 regulations that would allow for programmatic eagle permits lasting far beyond that to an astounding 30 years. It is obvious to us this is a result of pressure from the wind generation industry looking for long term eagle take allowances for project sites that will likely put eagles at risk.

What environmental conditions have changed that long term takes are no longer "*incompatible with the preservation of the bald eagle or the golden eagle*" as determined by your agency as recently as 2009? This question must be answered as deliberations into revising the 5 year policy proceed.

U.S. Fish and Wildlife Service, through the Department of the Interior, has served the people of this nation by working to conserve the nature of America. We expect our allocated tax dollars to be utilized in the preservation of our remaining open spaces, which are vital to the continued existence of historically vulnerable species like bald and golden eagles. What we don't expect are changes to protective regulations that diminish their effectiveness and solely serve the interests of the industrial wind industry, which keeps getting a free pass to kill some of our nation's most iconic birds.

Homestead Valley Community Council strongly urges the U.S. Fish and Wildlife Service to maintain the current policy of eagle permits, limiting them to 5 years. Your agency should stand by the 2009 findings that extending permit tenure beyond this timeframe will jeopardize recovering eagle populations; something we can all agree is highly unacceptable.

Sincerely,

A handwritten signature in cursive script that reads "Jim Harvey".

Jim Harvey
President, Homestead Valley Community Council