

Protecting Golden Eagles

by Co-president Andy Mason



Golden Eagles over Sanford, NY; Photo by Kyle Dudgeon

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As most DOAS members know, our Chapter has been heavily involved in researching and protecting Golden Eagles for a number of years, including counting the large fall migration past the Franklin Mt. Hawkwatch, documenting the presence of wintering birds using motion cameras, fitting Goldens with satellite transmitters to track their movements, and numerous other efforts. This work has been well supported by our membership and others and that assistance is much appreciated.

In addition, we have reported previously on our involvement in the Bluestone Wind project—thirty-three 670-foot tall turbines proposed for the Broome County towns of Sanford and

Windsor. Our concern is that this area is within the known corridor for Golden Eagle migration, both spring and fall. DOAS is an official party or intervenor in this project, meaning we have standing during New York State's review of its effects. To date we have expressed our concerns to the project sponsor, and to the other parties in the review. We also applied for and received intervenor funding available to parties and used these funds to conduct raptor migration surveys in the project area in fall 2017 and late winter and spring of 2018. We are also surveying this March, using funds raised from DOAS contributors.

These surveys showed a significant presence of both Golden and Bald Eagles. Bluestone Wind conducted its own studies and has concluded a low risk to these birds. In response, we applied and received additional intervenor funds to pay for an expert opinion on this risk and other matters related to eagles. This review is pending and will help guide our official stance on the project. The state's review process encourages settlement among the parties regarding conditions to be applied to the project, and mitigation for impacts, including those to birds. We are participating in these discussions, but it is quite possible that we and others may not reach consensus on eagle impacts and other matters. If this is the case, the process moves to a litigation stage where the project sponsor and the parties provide testimony and evidence before an administrative law judge. If we do get to that point, we will need legal representation for these quasi-judicial hearings. We again hope to access intervenor funding for these costs and for expert testimony if needed.

This is obviously a long and convoluted process, but the DOAS board of directors considers it important and is committed to seeing it through. It is possible that decisions that come out of this case may be precedent-setting, including our proposal that lead abatement studies and efforts be used to mitigate eagle mortality, should the project proceed.

Again, we thank all the supporters of the various aspects of our Golden Eagle Project. We will keep you informed as things proceed.