Eagle In-lieu Fee Program Power Pole Mitigation Grants:
2023 Request for Proposals

The Bald Eagle and Golden Eagle Electrocution Prevention In-lieu Fee Program ("Program") is the first mitigation program authorized by the U.S. Fish and Wildlife Service (USFWS) for compensatory mitigation credits for Bald Eagles and Golden Eagles. The objective of the Program is to offset incidental eagle take caused by a variety of permitted actions (e.g. wind power generation, mining, nest disturbance) through power pole mitigation. In this context, "mitigation" is the process of protecting a high risk power pole so that it provides eagle-friendly spacing. The Program has funds available to help utility partners prevent eagle electrocution on many hundreds of power poles.

Power pole mitigation benefits utilities by improving regulatory compliance, reducing wildlife-related outages, lessening wildfire ignition risk, and providing positive public relations and customer engagement opportunities. Program-funded mitigation accelerates progress at no cost to utilities. Participation in the program does NOT require engagement with any state or federal agency. Sensitive utility information is protected by a mutual Non-Disclosure Agreement (NDA). FAQ's provide additional information on the Program and grants.

Grant Description:
The Program is pleased to offer this Request for Proposals for its 2023 competitive grant cycle. Grants will be awarded to one or more utilities serving the Pacific Flyway Eagle Management Unit[1] (EMU). Grant funding will be used to mitigate distribution power poles at high risk for eagle electrocution[2] to meet industry "avian friendly"[3] criteria. Grant funding is designed to reimburse the full cost of mitigation materials, labor (staff or contract), mobilization, and equipment use. No matching funds or in-kind contributions are required.

Grant funding is contingent upon a commitment to maintain eagle friendly clearances for a period of 10 years or 30 years, at the utilities choice. Utilities selecting a 30-year maintenance commitment will receive, at the time of reimbursement, an extra payment to offset future maintenance costs. The amount of this extra payment will be equivalent to the initial mitigation cost.

The Program will consider grant applications to mitigate 100 poles. Applicants should identify a geographic area of interest based on habitat/eagle use, previous electrocutions (if any), and presence of high risk poles (see FAQ). Specific poles for mitigation will be determined by mutual agreement later; the dollar amount awarded will reflect the utility's mitigation cost for the selected poles, up to a predetermined cap. The Program will provide technical support with respect to mitigation strategy, product selection, lineman training, quality assurance/quality control, and/or utility-identified needs.

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[1] Pacific EMU is located west of the continental divide in the Lower 48 states.
[2] High risk poles (Dwyer et al. 2014) are located in eagle habitat, are likely to have three phases, and will have at least one jumper wire OR a ground that could be contacted by a large bird (e.g., overhead neutral with bare pole ground, grounded guy, poorly routed arrester ground, etc.)
[3] Horizontal clearance ≥60 inches, vertical clearance ≥40 inches (APLIC 2006)

After the successful completion of a 100-pole project, the Program would offer non-competitive funding to partner utilities for larger mitigation projects.

Application Process:

The application process is designed to be as brief and user-friendly as possible. All qualifying utilities are encouraged to apply. Applicants that are not selected for 2023 funding will be considered for future grants with no need to resubmit an application. Mitigation in additional geographic areas will be funded in the future, so utilities outside the Pacific EMU are also encouraged to submit applications now for ongoing consideration. Application steps and project timeline are as follows (deadlines in parentheses):

1. Schedule an online meeting to ask questions of Program staff (optional) (April 1 - May 30). Contact info@eaglemitigation.com to request a meeting.
2. Submit an application form and supporting materials to info@eaglemitigation.com (June 15)
3. Participate in applicant interview (finalists only, June 19 - 23)
4. Grant awards issued (June 26)

Grant recipients will develop a project timeline that culminates in mitigation implementation and reimbursement, ideally within 12 months.

Selection Criteria:
Grant applications will be evaluated according the following criteria:

- Potential benefit to eagle populations and conservation.
- Previous experience or interest in wildlife mitigation on distribution poles.
- Conservation return per Program dollar (estimated cost per pole).
- Capacity to implement a funded project within 12 months of grant award (contingent upon materials availability and other factors).
- Enthusiasm for the Program and opportunities for ongoing partnership.

Contact Information:
Eagle ILF Program
info@eaglemitigation.com
970.430.4170

Eagle In-lieu Fee Program Power Pole Retrofitting Mitigation Grants– 2023 Application Form

Please see eaglemitigation.com/utilities for a digital application and related materials.

Utility Name (preferred abbreviation):

Physical Address:

Mailing Address:

Telephone:

Website:

Chief Executive and Title:

Grant Application Lead and Title (if different from above):

Email:

Phone (office/cell):

Narrative Questions (you may attach additional information or supporting materials, but brevity will not be penalized)

1. Briefly summarize any eagle/raptor electrocutions already reported to the authorities in the last 5 years and describe pole types that may pose an elevated electrocution hazard (300 words).

2. Briefly describe previous experience with power pole mitigation (200 words)

3. Attach map of area of interest (screenshot is fine), and briefly describe reasons for focusing eagle mitigation there (100 words)

4. Using the following images (poles A, B, C), estimate the total (materials, labor, equipment, mobilization) cost to mitigate these example poles using the materials specified, assuming they are adjacent to one another and located 1 hour from the service center. This should be a rough estimate for general guidance. It is not intended to represent a rigid budget or a future commitment. Total cost to mitigate using materials specified:

   Pole A: $_____ Pole B: $_____ Pole C: $_____

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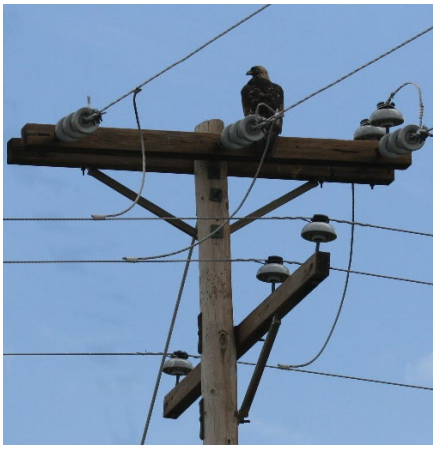
Pole A	Pole B	Pole C
		
2 conductor covers	1 deadend cover 1 conductor cover 3 covered jumper wires	1 deadend cover 9 covered jumper wires 3 arrester caps 3 cutout covers 3 bushing covers

5a. Our utility has the capacity and resources (equipment, staff, contractors) to implement comprehensive eagle mitigation on 100 poles within one year of grant award.

◯ YES ◯ NO

5b. Our utility has an existing Avian Protection Plan (any answer is compatible with participation; this question will not disqualify any applicant).

◯ YES Implemented in _____(year) and last updated in _____(year) ◯ NO

5c. Utility decisionmakers have reviewed program documents, including FAQs, and foresee no contractual or legal barriers to participation.

◯ YES ◯ NO

As an authorized representative of _____ I affirm that the information provided in this application is true and accurate to the best of my knowledge, and that the utility intends to accept Eagle In-Lieu Fee Program grant funding to develop and implement within 12 months a mutually agreeable eagle mitigation project consisting of 100 power poles, if awarded.

_____	_____	_____
Signature	Printed Name and Title	Date

Frequently Asked Questions

How are "eagle friendly" and "mitigation" defined?

- The Program uses best industry practice as defined by APLIC (2006) as the definition for "eagle friendly": 60 inches of horizontal clearance and 40 inches of vertical clearance in the vicinity of a potential perch.
- "Mitigation" is the process of protecting a high risk pole so that it provides eagle-friendly spacing; some companies use the term "retrofitting" as a synonym for mitigation. Mitigation can also refer to commercial products used to reduce wildlife electrocution risk.
- In most cases, mitigation should utilize insulation or reframing; only rarely is perch management (triangles, spikes, alternative perches etc.) the best strategy.
- Because small errors can cause eagle electrocutions, the Program strictly adheres to the eagle friendly spacing and requires continuous coverage (i.e., no insulation gaps).

What are the benefits to utilities of participating in the Eagle ILF Program (Program)?

- Reliability: Wildlife electrocutions can cause outages, stress equipment, and negatively impact power quality. Eagle-friendly poles prevent outages caused by other wildlife species, including other bird species, squirrels and common wildlife species.
- Regulatory compliance: Most bird electrocutions are a violation of the Migratory Bird Treaty Act (MBTA) and eagle electrocutions are a violation of the Bald and Golden Eagle Protection Act (BGEPA). Proper power pole mitigation should eliminate most occurrences. The USFWS has stated that distribution systems should be eagle friendly: participation will accelerate progress toward this goal.
- Reduced wildfire ignition risk: Any wildlife electrocution results in a "thermal event" (smoldering carcass, flashover, expulsion fuse operation, etc.), and a percentage of these ignite wildfires. Reducing electrocutions reduces the likelihood of wildfire ignition.
- Wildlife conservation: The U.S. Fish and Wildlife Service has demonstrated that power pole mitigation has a quantifiable positive impact on eagle populations. Other species benefit from mitigation, too.
- Positive customer engagement: Customers appreciate improved reliability, reduced wildfire risk, proactive wildlife conservation, and system improvements that are not funded by ratepayers. Project benefits appeal to a broad cross section of stakeholders. Completing Program-funded conservation project is an opportunity to celebrate excellence with a press release, social media post, or bill insert.

How much funding is available to fund power pole mitigation?

- The Program has millions of dollars of funding, which is earmarked to mitigate distribution poles installed prior to 2009.

Is the reimbursable cost for mitigating any pole limited?

- For any given project, the total cost is capped by the funding available, but the cost to mitigate any individual pole is flexible. The cost of a typical project is fully reimbursed.
- The funding available for each project is influenced by whether the utility selects a 10-year or 30-year maintenance commitment.

How are poles selected for mitigation?

- Pole selection is a cooperative process between the utility and Program staff. Together, we review historic eagle electrocution incidents, outages, and other utility concerns to identify and prioritize groups of poles in eagle habitat to mitigate.
- An initial field inspection carried out by the Program is an integral part of finalizing the pole selection and developing a mitigation prescription for each pole. The final pole selection also is a cooperative exercise.

How is the Program funded?

- Private industry and businesses pay mitigation fees to the Program. Mitigation fees are an optional pathway to fulfilling mitigation requirements for an eagle incidental take permit or they may be part of a settlement agreement.
- Taxpayers or the public do not contribute to Program funding.
- The Program disburses funds to utilities for specific mitigation projects.

What does the Program do with any remaining funding once mitigation requirements are fulfilled?

- Any cost savings during mitigation projects are used to fund additional pole mitigation projects to benefit eagle conservation.

What are the payment terms?

- Payment is issued after poles are mitigated, within 30 days of receiving the utility's invoice.

What inspections are performed?

- The Program performs an inspection after mitigation, prior to reimbursement, to ensure poles are fully mitigated and are consistent with eagle friendly spacing. The Program also performs a final inspection ten years after mitigation.
- Program inspections are supplemented by existing utility inspections. Utilities inspect mitigated poles on the regular distribution pole inspection schedule (typically every 5-10 years) until the maintenance commitment is fulfilled (10 or 30 years). After the maintenance commitment is fulfilled, the utility has no further inspection obligations associated with the Program.

- Maintenance needs must be addressed promptly when deficiencies are identified by any party.

Who pays for maintenance?

- Utilities opting for a 30-year maintenance commitment receive Program funding for maintenance. Maintenance funding is equivalent to the cost of mitigation. In a hypothetical example, a utility that was reimbursed $100,000 for mitigation would receive a one-time payment of $100,000 to support maintenance over the coming 30 years.
- The maintenance payment is issued at the same time as reimbursement, and the utility decides how to best manage that money. The Program does not track the use of maintenance funds.
- Utilities opting for a 10-year maintenance commitment do not receive maintenance funds, as the service life of mitigation products is expected to exceed ten years.

What are the advantages of a 10-year vs. a 30-year maintenance commitment?

- The Program is responsible for delivering the contracted number of eagle-friendly pole-years.
- The USFWS has given the program discretion to meet mitigation goals either of two ways: a) a 10-year commitment or b) a 30-year commitment.
- The program is amenable to either option, which can be selected by the utility.
- Some utilities prefer a 30-year commitment because the Program provides both mitigation *and* maintenance funds.
- Other utilities prefer a 10-year commitment because they appreciate the shorter agreement term.

What role does USFWS play in the Program?

- The USFWS maintains national oversight over the Program, which was certified and approved in 2018. This ensures the program upholds high project standards.
- The Utility is expected to document and maintain all information related to the grant including financial, inspection, and maintenance records. These grant records may be audited by the Program or USFWS.
- USFWS expects all utilities to self-report eagle electrocutions, whether they participate in the Program or not.

Confidential information

- Critical infrastructure data and sensitive information will be protected through a mutual non-disclosure agreement.

What are the boundaries for the eagle flyways?