



August 7, 2024

TriPointe Homes Inc.
Attn: Barbara Yarrington
15900 SE Eastgate Way, #300
Bellevue, WA 98008

RE: SEPA Review - Bald Eagle nest presence in the vicinity of the 6500 Harbour Heights Proposed Development

During SEPA Review of the 6500 Harbour Height proposed development, it was noted that a Bald Eagle (*Haliaeetus leucocephalus*) nest is located in the vicinity of the proposed project. Currently the U.S. Fish and Wildlife Service (USFWS) manages Bald Eagles under the *Bald and Golden Eagle Protection Act* and *Migratory Bird Treaty Act*.

Wetland Resources, Inc. (WRI) conducted an investigation of the site and nearby areas on August 7, 2024, to determine the location of the reported nest and whether the nest is actively being used by Bald Eagles. The reported nest was identified by WRI and is located adjacent to the residence located at 11402 St Andrews Place, to the north (see enclosed map for nest location). No Bald Eagles were observed on or in the vicinity of the identified nest at the time of the site investigation. WRI determined that the nest is not currently active.

USFWS provides management recommendations for Bald Eagles within the *National Bald Eagle Management Guidelines* (USFWS 2007). Per these recommendations an Eagle Disturbance Take Permit may be required based on multiple criteria. The USFWS website (USFWS 2024) details whether an Eagle Disturbance Take Permit is required based on distance of the nest and time of year of the proposed activity, and if the proposed activity is similar to surrounding uses. The nest is located approximately 520 feet from the development. Breeding season of Bald Eagles in the Pacific Northwest is from January to August (USFWS 2007).

Following USFWSs guidance (USFWS 2024), proposed activities that occur outside the breeding season and are located 330 feet to 660 feet from a nest, an Eagle Disturbance Take is not likely recommended but should be confirmed with USFWS. However, if the proposed activity occurs during the breeding season and is located 330 feet to 660 feet from a nest, and it is a similar activity, an Eagle Disturbance take permit may not be recommended if eagles are tolerant of past disturbance.

Per City of Mukilteo's municipal code (MMC) 17B.52C.130, if activities are proposed within 800 feet of a Bald Eagle site a habitat management plan may be required.

WRI recommends that an Eagle Disturbance Permit is not needed for proposed work from September to December and will confirm with USFWS. For work during January to August, WRI recommends site visits during January and February to confirm whether the nest is actively being used. If the nest is being used, WRI will then contact USFWS to determine whether an Eagle Disturbance Permit is recommended. If a permit is recommended, any recommend mitigation measures will implemented.

If you have any questions or concerns, please contact me at (425) 337-3174 or email alia@wetlandresources.com.

Wetland Resources, Inc.



Alia Richardson, PWS
Senior Ecologist & Senior Wildlife Biologist

References:

United States Fish and Wildlife Service (USFWS). 2024. *Do I need an eagle take permit?*.
<https://www.fws.gov/story/do-i-need-eagle-take-permit>

USFWS. 2007. National Bald Eagle Management Guidelines.
https://www.fws.gov/sites/default/files/documents/national-bald-eagle-management-guidelines_0.pdf

Enclosed:

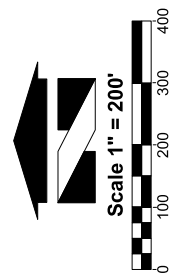
- Approximate Bald Eagle Nest Location Map

APPROXIMATE BALD EAGLE NEST LOCATION MAP
IRI/POINTE - HARBOUR HEIGHTS PKWY SW
 PORTION OF SECTION 20, TOWNSHIP 28N, RANGE 4E, W.M.



LEGEND

- PROPERTY BOUNDARY
- PROPOSED DEVELOPMENT
- APPROXIMATE NEST LOCATION
- APPROXIMATE CITY OF MUKILTEO 800' MANAGEMENT AREA



Approximate Bald Eagle Nest Location Map
IRI/POINTE
HARBOUR HEIGHTS PKWY SW

TriPointe Homes Inc.
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 6500 Harbor Heights Pkwy SW
 Mukilteo, WA 98275

Sheet 1 of 1
 WRL: 1/1
 Drawn by: AR
 Date: 08/07/2024

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