

License Application Justification

Accipiter Radar Corporation filed Special Temporary Authority Application File Number: 0837-EX-ST-2013, Confirmation Number: EL551927. This request is to use radar to track the flight paths of the American Golden Eagle in order to protect them from the rotating blades of a wind farm installation.

The US is a signatory to the International Migratory Bird Treaty under which it is obligated to protect certain species of migratory birds. The Golden Eagle (*Aquila Chrysaetos*), which is the subject of this radar monitoring project, is a listed bird under the treaty. Montana has the greatest concentration of Golden Eagles in the US making their protection from wind turbines more challenging than in other jurisdictions.

To implement its responsibilities under the Treaty, the US has enacted the Migratory Bird Treaty Act of 1918 which is a US Federal law which obligates all US citizens to obey the provisions of the Treaty.

Carrying out US National obligations to its allies is an important part of maintaining good international relationships with those allies and hence could be seen as supporting National Security.

As a US Federal Agency, the FCC can help to facilitate US obligations under the International Migratory Bird Treaty and the wind energy company's compliance with the Migratory Bird Treaty Act of 1918 (a US Federal Law) by allowing rapid processing of its license application.

This license application extends the STA operation and a grant would secure the protection of the Golden Eagles in the area.