

DOCKETED

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June 27, 2025

Renée L. Robin, J.D.
Director, Permitting & Planning
Engie North America LLC
1360 Post Oak Blvd Ste 400
Houston, Texas 77056

Post Scoping Biological Resources Data Requests for Compass Energy Storage Project (24-OPT-02) in response to CDFW Comment Letter

Dear Renée L. Robin, J.D.,

Pursuant to Public Resources Code section 25545.4(d) and California Code of Regulations, title 20, section 1878(a), the California Energy Commission staff is asking for the information specified in the enclosed data requests, which is necessary for a complete staff analysis of biological resources for the Compass Energy Storage Project under the California Environmental Quality Act (CEQA). These data requests are in response to the comment letter from California Department of Fish and Wildlife (CDFW) on the Notice of Preparation of a Draft Environmental Impact Report for the Compass Energy Storage Project, SCH No. 2025050184; Orange County, CA (TN 263799, <https://efiling.energy.ca.gov/GetDocument.aspx?tn=263799&DocumentContentId=100481>). Given the time sensitive nature of the data requests, staff is sending these now, but may seek further information related to other environmental resource topics based on comments received during scoping.

Pursuant to Public Resources Code section 25545.4, responses to the data requests shall be submitted within 30 days. If you are unable to provide the information requested or believe that additional time will be needed to provide a response, please send written notice to me within 10 days of receipt of this letter.

If you have any questions, please email the CEQA project manager, at renee.longman@energy.ca.gov.

Sincerely,

Drew Bohan
Executive Director

Supplemental NOP Data Requests Set 1

BIOLOGICAL RESOURCES

Staff has reviewed the comment letter on the Notice of Preparation of a Draft Environmental Impact Report for the Compass Energy Storage Project provided by the California Department of Fish and Wildlife (TN 263799). The comment letter identifies that up-to-date surveys should be conducted for burrowing owl (*Athene cunicularia*) and Crotch's bumble bee (*Bombus crotchii*), both candidate species for listing under the California Endangered Species Act. Existing guidance from the *CDFG Staff Report on Burrowing Owl Mitigation* (2012) and CDFW's *Survey Considerations for CESA Candidate Bumble Bee Species* (2023), both of which are mentioned in the comment letter, supports the need for multi-season surveys to assess presence of these species. Although the July 31, 2024, and August 26, 2024, surveys did not detect either species, suitable habitat exists on and near the site (TN 259155).

SDR BIO-1. Staff requests that the applicant complete additional surveys for Crotch's bumble bee (CBB) consistent with CDFW's *Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (2023)* (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline>) as soon as possible to ensure detections can be made prior to the end of the flight season of 2025. Each survey should ideally be spaced two to four weeks apart during the Colony Active Period to ensure that they cover a range of dates and account for variability in resource use by the candidate species and floral resource phenology within the site. For CBB, the Colony Active Period is April to August. These surveys shall include both nesting colony surveys and foraging surveys in adjacent habitat. Surveys shall include habitat adjacent to Oso Creek, the existing pollinator garden and nursery, and all areas within 100 feet of project disturbance. Please provide a survey report that meets the standards of the survey guidance.

SDR BIO-2. Staff also requests that the applicant conduct surveys for burrowing owl to verify if any suitable burrows or sign (e.g., whitewash, feathers, or pellets) are detected within 500 meters of project facilities where suitable habitat is present. This should include portions of the rock rip rap along Oso Creek. Surveys should be consistent with the *CDFG Staff Report on Burrowing Owl Mitigation (2012)* (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843&inline>). Burrowing owl surveys shall be conducted by a qualified biologist on the project site and within 500 meters of the project site where there is suitable habitat. In California, the burrowing owl breeding season extends from February 1 to August 31. Survey protocol for breeding season owl surveys states to conduct four survey visits. If feasible, conduct a minimum of three survey visits, at least two weeks apart, before July 31. Please provide a survey report that meets the standards of the survey guidance.