

DOCKETED

Docket Number:	15-AFC-01
Project Title:	Puente Power Project
TN #:	216901
Document Title:	Comments on Applicant's Biological Resources Survey Methodology
Description:	N/A
Filer:	Sabrina Savala
Organization:	The California Department of Fish and Wildlife (CDFW)
Submitter Role:	Public Agency
Submission Date:	4/7/2017 3:49:48 PM
Docketed Date:	4/7/2017



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April 7, 2017

Carol Watson
California Energy Commission
1516 9th Street
Sacramento, CA 95814
Carol.watson@energy.ca.gov

Subject: Comments on the Puente Power Project, Applicant's Biological Resources Survey Methodology, Ventura County

Dear Ms. Watson:

The California Department of Fish and Wildlife (CDFW) has reviewed the above-referenced Biological Resources Survey Methodology for the Puente Power Project. The Biological Resources Survey Methodology (Methods) was prepared by AECOM Technical Services, Inc. on behalf of NRG Energy Center Oxnard LLC (Applicant) in connection with the Puente Power Project (Project). The Applicant was directed to file a survey plan for the party and public comment and invited participation of the California Energy Commission staff, the California Coastal Commission staff, and CDFW staff. CDFW was asked to comment on the design and conduct of additional biological resources surveys to determine the likelihood of the presence of certain specified species on the Project site.

Specific Comments

- 1) Rare Plant Survey Protocol: Rare plant surveys conducted on the Project site should follow CDFW protocols from 2009 (see attached). These are standard survey protocols for rare plants and natural communities.

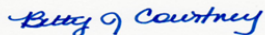
The state- and federally-listed Ventura marsh milkvetch (*Astragalus pyncostachyus* var. *lanosissimus*) could potentially occur in the project area as seedlings or very small juveniles and these may be challenging to locate in and amongst other small plants. To be thorough, plant surveyors will have to move slowly to cover the area well. It's also possible adult milkvetch could occur in the area. Reference sites are private and not accessible to the public. CDFW may be able to assist in obtaining access or photographs to aid in conducting surveys.

- 2) Burrowing owls (*Athene cunicularia*): CDFW recommends that even if no previously used owl burrows are located for burrowing owl in April during this focused survey period, protocol wintering surveys based on the CDFW 2012 Staff Report on Burrowing Owls referenced in the Methods should be conducted based on the likelihood of burrowing owls using the Project site in the winter. Burrowing owls could appear in winter months at any time at the project site, including in future years. Wintering owls have been documented in past years immediately north of the proposed Project area, and on the North Shore at Mandalay Bay project site, also nearby.

- 3) Globose Dune Beetle (*Coelus globosus*): CDFW recommends increasing the amount of surveys in the Methods to 2 day surveys, 2 night surveys, and 4 nights of pitfall trapping to more thoroughly survey for this cryptic species.
- 4) California Legless Lizard (*Anniella pulchra*): CDFW recommends the methods include systematically searching for legless lizard under the iceplant mats by lifting portions of each mat and lightly raking the duff under the mat down to approximately 6 inches or deeper, if conditions warrant. Legless lizards may occur in other onsite habitats outside iceplant mats. Legless lizards have been observed in native habitats immediately north of the proposed Project site. Other techniques outlined in the Methods will be necessary as well to best cover the Project site and ensure thorough surveys for this species.
- 5) Northern Harrier (*Circus cyaneus*) and White-tailed Kite (*Elanus leucurus*): CDFW notes that both species have been observed using the habitat on and adjacent to the Project site for foraging. These species continue to lose their foraging habitat and any additional losses of foraging habitat are likely cumulatively substantial under CEQA in coastal areas of Ventura County.

We appreciate the opportunity to comment on the referenced Survey Methodology. Questions regarding this letter and further coordination on these issues should be directed to Dan Blankenship, Senior Environmental Scientist, at (661-259-3750), or Daniel.Blankenship@wildlife.ca.gov.

Sincerely,



Betty J. Courtney
Environmental Program Manager I

Attachment

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Dan Blankenship, Newhall
Mary Meyer, Ojai