

DOCKETED

Docket Number:	15-AFC-02
Project Title:	Mission Rock Energy Center
TN #:	216089
Document Title:	Commission Staff Record of Conversation with U.S. Fish and Wildlife staff
Description:	ROC Describes phone conversations on a number of biological resources topics related to the Mission Rock Energy Center project.
Filer:	Mike Monasmith
Organization:	California Energy Commission
Submitter Role:	Commission Staff
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California Energy Commission
 Energy Facilities Siting &
 Environmental Protection Division
 REPORT OF CONVERSATION

File:

Project Title: Mission Rock Energy Center

(X) TELEPHONE() MEETING LOCATION:

NAME: Andrea Martine	TIME: 1:00pm	DATE: February 16, 2017
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WITH: Chris Dellith (U.S. Fish and Wildlife Service)	PHONE: 805-644-1766 ext. 227
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SUBJECT: Impact to least Bell's vireo (vireo)

COMMENTS:
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Discussed construction and operation noise and loss of riparian habitat from the Mission Rock Energy Center.

Chris reviewed the streambed alteration agreement condition and noticed there would be loss of riparian habitat as part of this project. Loss of occupied (i.e. a territory) riparian habitat would be considered "take" for the vireo.

Noise from construction and operations would also impact the vireo since noise levels would not be at or below the 60dBA threshold for the species based on the loudest construction equipment and noise from engines during operations.

The reason there are impacts to the vireo is because the protocol surveys didn't make a determination of the nesting territory for the species. Therefore we assume presence in suitable habitat without any survey.

Is there a federal nexus? Not sure but I will look further into this. (It has been determined that there is no federal nexus for this project)

If a Section 7 route then a quicker process. If Section 10 then the applicant would need a Habitat Conservation Plan (HCP) which could take 2 years or longer.

The applicant could assume presence for the vireo and begin the process of consultation.

I would provide a condition that would require the applicant to provide proof of consultation through the Federal Endangered Species Act whether it is Section 7 or Section 10.

Since helicopters would be used for installation of the gen-tie, the helicopter would need to stay 500 feet above the Santa Clara River. It is preferable to have the helicopter stay away from the Santa Clara River completely. The use of the helicopter is expected to occur in the hills.

The applicant could conduct protocol least Bell's vireo surveys (by a qualified biologist although a permitted biologist would be preferable) and delineate nesting territory to determine where the nesting territory occurs in order to determine whether the vireo is present or absent near the project site.

COPIES TO:	NAME: Andrea Martine
	SIGNATURE

