

**CALIFORNIA ENERGY COMMISSION**  
**REPORT OF CONVERSATION Page 1 of 1**



**Energy Facilities Siting and  
 Environmental Protection  
 Division**

**FILE: 07-SPPE-2**

**PROJECT TITLE: Orange Grove**

<input checked="" type="checkbox"/> Telephone	(760) 431-9440 ext 356	<input type="checkbox"/> Meeting Location:	
<b>NAME:</b>	Michelle Moreno US Fish and Wildlife Service, Carlsbad	<b>DATE:</b> 01-29-08	<b>TIME:</b> 11:00 a.m.
<b>WITH:</b>	Susan Sanders, Biologist, Aspen Environmental Group		
<b>SUBJECT:</b>	Biological Resources/Endangered Species Issues at Orange Grove Project Site		

I asked about the criteria for the de minimus exclusion for a DPLU Habitat Loss Permit; Michelle said the loss of coastal sage scrub must be less than one acre to be considered for an exclusion, and cannot be occupied gnatcatcher habitat (i.e. nesting on site or within a few hundred feet of site).

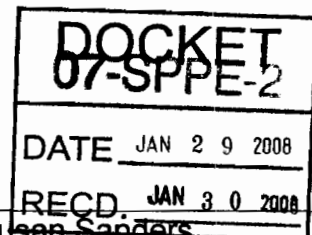
As far as considering the firebreak on either side of the Pala Del Norte road as part of the project – depends if it is routinely done or not. If it is part of the project description and Fire Protection Plan, it needs to be included as part of the habitat loss calculation.

Guidelines for non-disturbance for sensitive species: no clearing within 300 feet of an active nest, and no noisy construction in excess of 60 dbh. Breeding season for listed species are:

- California gnatcatcher:– Feb 15 - August 15.
- Least Bell's vireo and southwestern willow flycatcher: March 15 - September 15.

Arroyo toad: applicant will need to provide an assessment of the suitability of the site for arroyo toad. There is no standardized protocol for that assessment, but need to evaluate soil compaction, vegetation cover, proximity to suitable breeding habitat, etc. If the habitat is suitable, the applicant would need to coordinate with USFWS on potential take, and also find coastal sage scrub mitigation lands that have potential arroyo toad habitat.

Parry's tetracoccus (*Tetracoccus dioicus*) – defer to the county on impact assessment and mitigation because this species is not listed by USFWS.-



<b>cc:</b> Rick York, CEC Siting Division Felicia Miller, CEC Siting PM	<b>Prepared by:</b> Susan Sanders
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