

June 16, 2010

Alan Solomon
Project Manager
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

DOCKET

09-AFC-6

DATE JUN 16 2010

RECD. JUN 16 2010

RE: **Blythe Solar Power Project, Docket No. 09-AFC-6**
Golden Eagle Survey Results

Dear Mr. Solomon:

Attached please find the following Golden Eagle Survey Results for the Blythe Solar Power Project (09-AFC-6).

If you have any questions on this submittal, please feel free to contact me directly.

Sincerely,



Alice Harron
Senior Director, Development



June 16, 2010

Subject: Blythe Solar Power Project – Golden Eagle Survey Results

This memorandum summarizes golden eagle survey results for the Blythe Solar Power Project (BSPP).

Methods and Results

Golden eagle (*Aquila chrysaetos* [GOEA]) nest surveys were conducted for the BSPP during spring 2010 by the Wildlife Research Institute, Inc. The surveys were conducted to record and report GOEA occupancy and productivity within a 10 mile buffer surrounding the BSPP. The 10 mile buffer is based on USFWS survey and impact analysis guidelines for golden eagle. At CDFG's request, a bighorn sheep (*Ovis canadensis nelsonii*) biologist was also present during the surveys to observe bighorn sheep within the various mountain ranges surrounding the site and direct the surveyors on avoiding disturbance to lambing areas. Surveys were conducted by helicopter in two phases. The first phase was completed on March 25–26 and April 2–3, 2010, and the second phase was completed on May 14, 2010. Two golden eagle biologists (Jeff Lincer, PhD; Dave Bittner, PhD; Chris Meador; Renee Rivard, PhD; and/or James Newell) conducted each of the surveys. At least one biologist was present with several years of big horn sheep survey experience and identification expertise (Dave Bittner and/or Jeff Lincer). In addition, the helicopter pilots (Mel Cain and Greg Matson) each have at least 20 years of experience flying surveys for bighorn sheep. Mountain ranges in the vicinity that were surveyed include: the entire McCoy Mountain range; the entire Little Chuckwalla Mountain range; and the majority of the Big and Little Maria Mountains. The results of these surveys are summarized below.

No active GOEA nests were found within 10 miles of the BSPP. One inactive GOEA nest was located approximately 3 miles west of the BSPP. This nest was in poor condition and showed strong signs of weathering and is in the process of deteriorating. One active GOEA nest was located in the Big Maria Mountains northeast of the site; however, this nest was not occupied (no fledglings or eggs) during spring 2010 and is outside the 10-mile buffer surrounding the BSPP.

Additionally, no bighorn sheep were detected within the McCoy, Big Maria, or Little Maria Mountains. One bighorn sheep was found 11 miles southwest of the BSPP in the Little Chuckwalla Mountains. During the course of surveys, 14 red-tailed hawk (*Buteo jamaicensis*), 1 barn owl (*Tyto alba*), 1 great horned owl (*Bubo virginianus*), and 2 prairie falcon (*Falco mexicanus*) individuals were detected within a 10-mile buffer surrounding the BSPP.

Impact Analysis and Conclusions

Based on these surveys, there is no evidence that bighorn sheep occur in the McCoy Mountains located to the west of the BSPP. The detection of sheep within other mountain ranges confirms the ability to detect sheep during helicopter surveys such as these. No evidence of the species was observed during numerous biological surveys conducted in spring 2009 and 2010 on the site. The proposed BSPP will not present a barrier to movement between mountain ranges as they may still disperse around the site to the west, north, and south. There will be sufficient open space in the valley floor for wildlife movement to the north of the project area and a corridor will be maintained at the base of the McCoy Mountains to the west of the site. The areas to the west and north of the site which abut mountain ranges will be avoided by the project and have a higher probability of being utilized based on higher quality forage.

Suitable nesting substrates (i.e., cliff ledges, rocky outcrops, or large trees) for golden eagle do not occur within one mile of the proposed BSPP. In the remote possibility golden eagles were to reoccupy the nest 3 miles away, this is sufficient distance to prevent agitation behavior (displacement, avoidance, and defense) at the nest; increased vigilance behavior at the nest; or nest site abandonment. A reasonable buffer to adequately minimize potential indirect impacts from construction disturbance for the golden eagle is one mile (Suter and Joness 1981) and a range has been presented for energy projects of 0.25 to 2 miles (Tesky 1994). Because there is not nesting habitat within at least one mile, and no existing nests (active or inactive) are present closer than three miles, no impacts are anticipated to golden eagle nesting as a result of project construction or operation activities. The BSPP may affect golden eagle foraging habitat at a regional level, but these impacts will be mitigated through implementation of measures to preserve desert tortoise habitat as described in further detail below.

The project will provide compensatory mitigation for loss of vegetated washes and include surrounding uplands for desert tortoise habitat mitigation as required by the Revised Staff Assessment. This habitat will be preserved and managed in perpetuity to benefit other desert species whose ranges overlap with desert tortoise. Because targeted mitigation areas are within 10 miles of potential nesting sites for golden eagles, acquisition of the desert tortoise mitigation lands would also provide protected golden eagle foraging grounds. With implementation of BIO-12 and BIO-22 in the Revised Staff Assessment, preservation of hundreds of acres of vegetated wash habitat and thousands of acres of other desert habitat will occur within the range of golden eagle, contributing to long-term maintenance of populations in the region.

Based on the lack of evidence that bighorn sheep are present in the McCoy Mountains or on the BSPP and maintenance of a potential movement corridor around the BSPP, the BSPP will not result in a significant impact to foraging habitat or connectivity for the bighorn sheep. Based on a lack of active nest sites within 10 miles of the BSPP during

recent surveys and the acquisition of compensatory mitigation lands that will provide potential foraging habitat, the BSPP will not result in a significant impact to golden eagle foraging areas.

References

Suter, G.W. and J.L. Jones 1981. Criteria for Golden Eagle, Ferruginous Hawk, and Prairie Falcon Nest Site Protection. *Journal of Raptor Research* 15(1):12-18.

Tesky, Julie L. 1994. *Aquila chrysaetos*. In: Fire Effects Information System, [Online]. U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station, Fire Sciences Laboratory (Producer). Available: <http://www.fs.fed.us/database/feis/> [2010, June 9].

**STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION**

In the Matter of:
APPLICATION FOR CERTIFICATION
for the *BLYTHE SOLAR POWER PROJECT*

Docket No. 09-AFC-6
PROOF OF SERVICE
(Revised 1/26/2010)

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DECLARATION OF SERVICE

I, Carl Lindner, declare that on June 16, 2010, I served and filed copies of the attached:

Golden Eagle Survey Results

The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at:

[\[http://www.energy.ca.gov/sitingcases/solar_millennium_blythe\]](http://www.energy.ca.gov/sitingcases/solar_millennium_blythe).

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

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sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by overnight delivery service or depositing in the United States mail at Camarillo, California with postage or fees thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

AND

For filing with the Energy Commission:

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);

OR

depositing in the mail an original and 12 paper copies, along with 13 CDs, as follows:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 09-AFC-6
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

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I declare under penalty of perjury that the foregoing is true and correct.


