

DOCKETED

Docket Number:	21-AFC-02
Project Title:	Willow Rock Energy Storage Center
TN #:	249704
Document Title:	Record of Conversation with CDFW biologists
Description:	Record of Conversation with CDFW biologists regarding Mohave ground squirrel and desert tortoise
Filer:	Lon Payne
Organization:	California Energy Commission
Submitter Role:	Commission Staff
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*Siting, Transmission
and Environmental
Protection Division*

FILE: n/a

PROJECT TITLE: Willow Rock

Docket: 21-AFC-02

TECHNICAL AREA(S): Biological Resources

Telephone

Voicemail

Meeting Location: TEAMS (virtual)

NAME: Andrea Stroud, Biologist

DATE: 4-13-2023

TIME: 2:00pm

WITH:

Sarah Bahm (Senior Environmental Scientist), Larry Bonner - Senior Environmental Scientist (Supervisor), and Jeremy Pohlman (Senior Environmental Scientist), California Department of Fish and Wildlife

SUBJECT:

Mohave Ground Squirrel Surveys and Desert Tortoise

COMMENTS:

Andrea Stroud, California Energy Commission (CEC) staff biologist, spoke with Jeremy Pohlman, Sarah Bahm and Larry Bonner of California Department of Fish and Wildlife (CDFW) to discuss the applicant’s survey methods for Mohave ground squirrel (MGS) and to clarify the path forward for desert tortoise (DT): i.e., performing additional surveys or assuming presence.

For MGS surveys, CDFW expressed concerns that the applicant planned trapping solely in moderately suitable habitat, and not within the creosote scrub habitat that was previously mapped as low quality. CDFW recommended that all suitable habitat within the Project boundaries should be included with the trapping methodology. If all suitable habitat is not included in the survey methodology, the MGS surveys may not be sufficient for either CEC staff or CDFW to agree with negative findings.

For DT, during a CDFW meeting with the applicant’s biological consultant on April 10, 2023 (CEC staff was not present), CDFW was informed there would be no updated surveys for DT and the applicant was anticipating pursuing a determination of absence for the species. CDFW had thought the applicant was either going to conduct additional surveys or assume presence and mitigate appropriately. CDFW previously had concerns with the original survey data and recommended additional surveys. Larry Bonner stated if DT presence was assumed, then the applicant could also assume presence for MGS since mitigation for suitable habitat would likely be similar for these species.

I provided some clarification that it was CEC staff that decided to assume presence for DT. This was the result of an internal CEC meeting to decide if there would be follow up data requests for DT and MGS. The decision was based on the fact that three DT burrows were found during surveys but the applicant did not determine whether any DT were present. As mentioned during a follow up meeting (between the applicant, CDFW, and CEC staff on Dec. 2, 2022) to discuss the species reports provided, errors were noted. For example, the burrows were mis-classified, the burrows were not scoped, and flashlights and mirrors were not used to determine if DT were present, which is required by the protocol and the DT Field Manual,



etc. Further, the presence of spider webs or a partial collapsed burrow entrance are not indicators that DT are not in the burrow, and therefore CDFW and CEC staff cannot assume DT are not present. CDFW expressed agreement with this analysis, and concurred with assuming presence for DT, unless additional protocol-level surveys were conducted using survey methodology that was approved in advance by CDFW and CEC. I reiterated that the applicant objected to conducting surveys (data request set 1) and the workshop and follow up meeting resulted in providing DT reports that contained no new information to lead CEC staff to conclude that DT are not present. CDFW concurs.

CC:	Signed: s
	Name: Andrea Stroud, Planner II (Biologist)