

<b>DOCKETED</b>	
<b>Docket Number:</b>	23-OPT-01
<b>Project Title:</b>	Fountain Wind Project
<b>TN #:</b>	251112
<b>Document Title:</b>	fwp_CS0_SurveyPlan_2023
<b>Description:</b>	N/A
<b>Filer:</b>	Caitlin Barns
<b>Organization:</b>	Stantec Consulting Services, Inc.
<b>Submitter Role:</b>	Applicant Consultant
<b>Submission Date:</b>	7/21/2023 6:08:04 AM
<b>Docketed Date:</b>	7/21/2023



## ENVIRONMENTAL & STATISTICAL CONSULTANTS

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**Date:** Updated July 20, 2023

**To:** John Kuba, ConnectGen LLC

**From:** Joel Thompson – Western EcoSystems Technology, Inc. (WEST)

**Subject:** **2023 CSO Surveys for the Fountain Wind Project**

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### SCOPE OF WORK

#### California Spotted Owl (CSO) Survey and Report

Protocol surveys for CSO will be conducted in potentially suitable nesting and roosting habitats located within a 0.25-mile buffer of potential disturbance areas associated with Fountain wind Project (Project) infrastructure (e.g., roads, underground collection, turbines pads, etc.). Unlike Northern spotted owls (NSO), CSO are not listed under the Endangered Species Act, therefore species-specific survey criteria and evaluations of habitat-based take are not available. Additionally, surveys for CSO have not been regularly required in this region for proposed timber harvest plans and are not specifically addressed in the California Forest Practice Rules (CALFIRE 2023). However, CSO has been proposed for federal listing and ConnectGen has committed to conduct another year of surveys for CSO at the Project, consistent with the survey protocols used in 2021 at the Project (e.g., Thompson and Hanson 2021). Field surveys will largely align with the *Protocol for Surveying Proposed Management Activities that may Impact Northern Spotted Owls – 2012 Revision*, which is endorsed by the USFWS (Protocol; USFWS 2012); however, the survey area will include only a 0.25-mi buffer of disturbance areas, consistent with the 2021 surveys. The 0.25-mi buffer is consistent with NSO survey protocols for disturbance only projects and avoidance buffers identified in the Draft and Final EIRs released by Shasta County, which found impacts to CSO to be less than significant. The Draft and Final EIRs included a minimization measure that specified a no impact buffer of 0.25 mi around active CSO nests or unsurveyed CSO habitats during the nesting season. This 0.25 mi buffer is also consistent with Mitigation Measures in the Final EIR for the nearby Hatchet Ridge Wind Project (Shasta County 2007). While the Project will have some impact on forests considered potentially suitable for CSO, these impacts will be disjunct and dispersed along linear rights-of-way, typically consisting of less than five acres in each location (e.g., a turbine pad or road through a small stand) where potentially suitable habitats are impacted. The vast majority of the Project will not impact CSO habitat and will only result in disturbance (e.g., construction noise and road traffic). Given that habitat impacts are minimal, disjunct, and dispersed across the Project, and previously prescribed avoidance buffers are 0.25 or less, the 0.25 survey buffer was chosen to define the CSO survey area again in 2023. Should CSO be listed in the future, additional impact assessments may become

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necessary, and ConnectGen is committed to working with the USFWS on defining, minimizing, and/or mitigating potential impacts to CSO should a listing occur.

CSO survey points are largely confined to the southern and eastern portions of the Project and 0.25-mi buffer, as suitable habitat is lacking in the previously burned areas in the northwestern portion of the Project. Survey stations are the same as those used in 2021 (Thompson and Hanson 2021), with stations spaced such that they provide full coverage of all targeted potentially suitable habitat patches within the 0.25-mi buffer. While approximately 30 survey stations were deemed sufficient to provide adequate survey coverage of the current Project and 0.25 mi survey buffer, all 36 survey points surveyed in 2021 (for a slightly larger Project area) were surveyed by staff during the initial June 2023 survey round. Given the extra points were readily doable during a 2-night survey window, the extra points have been and will continue to be surveyed in 2023 to provide consistency with past efforts. This includes five points that are from 0.5–1.2 mi south of the most southern proposed Project disturbance, extending survey coverage well beyond the described 0.25-mi survey buffer along the southern edge of the Project (Figure 1). Along the eastern edge of the Project, survey points are located near or just outside the 0.25 mi buffer where they provide coverage of the outer portions of the 0.25-mi survey area as well as additional areas beyond the survey buffer. In addition, based on communications with the underlying land management company, FWS Forestry has also recently initiated CSO surveys of potentially suitable CSO habitat on lands they manage south of the Pit River, excluding the area being surveyed by WEST for the Project (FWS 2023). FWS plans to conduct a 3-visit survey during the late nesting season (July-August), which will provide additional data on potential CSO occurrence in areas surrounding the Project. WEST will continue to coordinate with FWS Forestry staff on surveys in the area, especially in the case of any CSO detections.

CSO surveys will include acoustic playback of spotted owl vocalizations using digital callers (e.g., Cabela's® Outfitter Series Predator Caller by FoxPro) loaded with a variety of NSO calls made available by the USFWS. Surveys consist of a minimum 10-minute survey period at each point, during which NSO calls (typically 3-4 calls) are played, alternated with 1-2-minute-long listening periods. A variety of both male and female calls will be used. Each round of surveys (i.e., surveys at all 36 points) will be separated by at least seven days.

Due to heavy winter and spring snows, initiation of spotted owl surveys throughout the region was delayed due to access limitations, largely precluding early season surveys in April and May across the region. For this Project, six rounds of surveys will be conducted during the June-August portion of the spotted owl survey period. CSO surveys at the Project commenced in early June and are scheduled for every other week, concluding in August.

In the instance a CSO response is recorded, a daytime follow-up visit will be conducted to attempt to locate the CSO and identify an activity center (e.g., roost or nest). If follow-up surveys do not result in confirmation of a resident CSO, a minimum of three additional surveys will be conducted



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in the area. If a detection occurs late in the survey season (e.g., during visits 4–6), then additional surveys beyond the six scheduled may be necessary to confirm the site status.

One known activity center (AC) is present within 0.5 mi of the Project. Historically, this AC (MASTEROWL# SHA0046; CDFW 2023) has occupied and moved around the larger contiguous block of higher quality habitat located on the Lassen National Forest, just east of the Project. In the recent past, this AC has been monitored by the adjacent landowner (SPI; CDFW 2023). Based on communications with SPI staff, they will be monitoring this AC in 2023. WEST will continue to coordinate with SPI regarding this AC as necessary to minimize disturbance to the resident pair. If a CSO from this AC is detected during scheduled surveys, the station(s) from which this CSO is detected will be dropped to avoid additional and unnecessary disturbance to this AC.

Upon completion of the 2023 surveys, a final report will be prepared that summarizes the survey effort and results, including maps of any CSO detections. The report will include information pertaining to survey dates, CSO and other owl detections, and the designated site status for any documented CSO. Site status will be based on definitions in the Protocol (e.g., territorial pair, resident single, status unknown).

## Literature Cited

- California Department of Fish and Wildlife (CDFW). 2023. California Natural Diversity Database (CNDDDB) Spotted Owl Observations Database. Accessed March 2023. Available at: <https://wildlife.ca.gov/Data/CNDDDB/Spotted-Owl-Info>
- California Department of Forestry and Fire Protection (CALFIRE). 2023. California Forest Practice Rules 2023. Title 14, California Code of Regulations Chapters 4, 4.5, and 10. Available at: <https://bof.fire.ca.gov/regulations/bills-statutes-rules-and-annual-california-forest-practice-rules/>
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- US Fish and Wildlife Services (USFWS). 2012. 2011 NSO Survey Protocol – 2012 Revision. Protocol for Surveying Proposed Management Activities that may Impact Northern Spotted Owls. February 2, 2011, Revised January 9, 2012



Figure 1. Project layout (turbines and roads) in blue and associated 0.25 mi survey buffer (white buffer) for 2023 CSO surveys. White dots are proposed survey locations. Yellow dot is the 2021 CSO nest location/activity center and yellow buffer represents a 0.5 mi buffer of the 2021 nest.