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**PROPOSED REVISIONS TO BIO-29 TABLES
TO REFLECT REVISED PHASING PLAN**

BIO-29 The project owner shall provide compensatory mitigation for the total Project Disturbance Area and may provide such mitigation in two phases as depicted in **Exhibit 1167, Revised Phasing Plan** ~~Figure 1 (Palen Solar – Construction Phases) in the Supplement No. 1 Petition to Amend dated February 8, 2013,~~ or updated figure provided by project owner and approved by the CPM. For purposes of this condition, the project Disturbance Area means all lands disturbed in the construction and operation of the Palen Solar Energy Generating System Project or its phases, including all linears and ancillary facilities, as well as undeveloped areas inside the project's boundaries that would no longer provide viable long-term habitat.

The disturbance area for each project Phase and resource type is provided in **BIO-29 - Table 1** below. Mitigation is shown in **BIO-29 - Table 2**, and mitigation Security is shown in **BIO-29 - Table 3** below. This table shall be refined prior to the start of each construction phase with the disturbance area adjusted to reflect the final project footprint for each phase. Prior to initiating each phase of construction the project owner shall submit the actual construction schedule, a figure depicting the locations of proposed construction and amount of acres to be disturbed. Mitigation acres are calculated based on the compensation requirements for each resource type as described in the above Conditions of Certification – **BIO-12** (Desert Tortoise), **BIO-20** (Mojave Fringe-toed Lizard), **BIO-18** (Western Burrowing Owl), and **BIO-22** (State Waters). Compensatory mitigation for each phase shall be implemented according to the timing required by each condition.

BIO-29 Table 1. Area of Habitat Type Disturbed by Construction Phase (acres)¹

| Habitat Type | PSEGS Disturbance Area | |
|--|------------------------|---------------|
| | Phase 1 | Phase 2 |
| MFTL Habitat | | |
| Stabilized & Partially Stabilized Dunes | 67.2 | 119.9 |
| Non-Dunes | 637.8 | 654.3 |
| Indirect Impacts ² | 210 | 211 |
| TOTAL | 915 | 985.2 |
| DT Habitat | | |
| DT Habitat - inside critical habitat | 175.6 | 49.3 |
| DT Habitat - outside critical habitat | 1819.4 | 1852.3 |
| DT Indirect Habitat - inside critical habitat | 3.7 | 0 |
| DT Indirect Habitat - outside critical habitat | 8.0 | 39.7 |
| TOTAL³ | 2006.7 | 1941.3 |
| WBO Habitat | | |
| Impacts to 4 WBO ⁴ | 4 WBO | 0 |
| TOTAL | 4 WBO | 0 |
| Jurisdictional Waters (Direct Impact) | | |
| Dry Desert Wash Woodland | 28.2 | 178.3 |
| Unvegetated Ephemeral Dry Wash | 83.5 | 84.7 |
| <i>Subtotal</i> | 111.7 | 263.0 |
| Jurisdictional Waters (Indirect Impact) | | |
| Dry Desert Wash Woodland | 0.03 | 0 |
| Unvegetated Ephemeral Dry Wash | 0.04 | 0.47 |
| <i>Subtotal</i> | 0.07 | 0.47 |
| TOTAL WATERS | 111.77 | 263.47 |

1 – Sources: PSH Final Comments on the PSA (Palen 2013pp) and Geomorphic Assessment of Sand Transport for the Modified Project (Palen Solar Electric Generating System) (CEC 2013v)

2 –Project owner assumed 39.7 of indirect impacts for private parcel adjacent to project site however staff will provide an independent assessment of indirect impacts. Indirect impacts will be assessed pending results of additional sand transport modeling in the Final Staff Assessment.

3 – Raven Acres subject to the one-time USFWS Regional Raven Management Program fee are equivalent to the total DT Habitat impact acreages.

4 – Impact to burrowing owl may change based on results of additional burrowing owl surveys along proposed modified generation tie-line corridor and new natural gasoline corridor.

**BIO 29 Table 2. Mitigation by Habitat Type Disturbed by Construction Phase
(acres)¹**

| Habitat Type | Mitigation Ratio | PSEGS Disturbance Area | |
|---|------------------|------------------------|---------------|
| | | Phase 1 | Phase 2 |
| MFTL Habitat | | | |
| Stabilized & Partially Stabilized Dunes | 3:1 | 201.6 | 359.7 |
| Non-Dunes | 1:1 | 637.8 | 654.3 |
| Indirect Impacts | 0.5:1 | 105 | 105.5 |
| TOTAL | | 944.4 | 1119.5 |
| DT Habitat | | | |
| DT Habitat - inside critical habitat ² | 5:1 | 878 | 246.5 |
| DT Habitat - outside critical habitat | 1:1 | 1819.4 | 1852.3 |
| DT Indirect Habitat - inside critical habitat | 5:1 | 18.50 | 0 |
| DT Indirect Habitat - outside critical habitat | 1:1 | 8 | 39.7 |
| TOTAL | | 2723.9 | 2138.5 |
| WBO Habitat | | | |
| Impacts to 4 WBO | 19.5 acre/WBO | 78 | 0 |
| TOTAL | | 78 | 0 |
| Jurisdictional Waters (Direct Impact) | | | |
| Vegetated (Desert Dry Wash Woodland) | 3:1 | 84.6 | 534.9 |
| Unvegetated Ephemeral Dry Wash | 1:1 | 83.5 | 84.7 |
| <i>Subtotal</i> | | 168.1 | 619.6 |
| Jurisdictional Waters (Indirect Impact) | | | |
| Vegetated (Desert Dry Wash Woodland) | 1.5:1 | 0.05 | 0.00 |
| Unvegetated Ephemeral Dry Wash | 0.5:1 | 0.02 | 0.24 |
| <i>Subtotal</i> | | 0.06 | 0.24 |
| TOTAL WATERS | | 168.16 | 619.84 |

1 – Sources: Palen 2013pp except for indirect impacts to MFTL (2013v)

2 – Impacts to desert tortoise critical habitat are assumed to be within the Phase 1 and Phase 2 Project Disturbance Area.