DOCKETED	
Docket Number:	03-AFC-02C
Project Title:	Los Esteros Phase II Compliance
TN #:	273438
Document Title:	ROC between CEC, CDFW, and SCVHA Executive Officer
Description:	ROC between CEC STEP BIO unit staff, CDFW, and SCVHA Executive Officer
Filer:	Rena Eddy
Organization:	California Energy Commission
Submitter Role:	Public Agency
Submission Date:	11/6/2026 2:53:51 PM
Docketed Date:	11/6/2026

Siting, Transmission and Environmental Protection Division

FILE: n/a

PROJECT TITLE: **Los Esteros Critical Energy Facility, Tanager BESS Petition to Amend**

Docket: **03-AFC-02C**

TECHNICAL AREA(s): **Biological Resources**

☐ **Telephone** ☐ **Email** ☒ **Meeting Location:** Online

NAME(s):	Carol Watson, Rena Eddy, Ann Crisp, Lisa Herrera, CA Energy Commission	**DATE:** 11/3/2026	**TIME:** 10:30am
WITH:	Edmund Sullivan, Santa Clara Valley Habitat Agency (SCVHA), Executive Director Marcus Griswold, California Department of Fish and Wildlife (CDFW)		
SUBJECT:	*Burrowing Owl Mitigation*		

COMMENTS:

CA Energy Commission (CEC) staff provided an overview of the location of the existing 6-acre burrowing owl mitigation area associated with the LECEF facility, and discussed CEC's approach to mitigating indirect impacts that may occur to the mitigation area as a result of the BESS project.

CDFW and SCVHA staff agreed with CEC staff's evaluation that the function of the site as a burrowing owl mitigation area would be diminished. CDFW and SCVHA noted that the area still provides benefit by restricting development of the 6-acre site, however impacts of the BESS project, including increased raptor perch sites and visual barriers, diminish its value.

SCVHA staff confirmed that they can accept fees from the project owner, and that burrowing owl fees would directly benefit the agency's owl program. SCVHA would defer to state agencies to determine an appropriate ratio.

SCVHA stated the burrowing owls in the bufferlands are monitored monthly. Additionally, telemetry data from tagged owls shows owls do occasionally occur in the project area.

CEC staff also asked whether CDFW or SCVHA had any additional data regarding golden eagles and the golden eagle nest site near the bufferlands. SCVHA staff have not observed nesting since 2021. Monthly burrowing owl monitoring includes predator observations. No golden eagles were observed during October 2026 monitoring.

cc: *Rena Eddy, Project Manager*	**Signed:** _____|s|_____ **Name**: Eric Knight, Siting and CEQA Manager