



CALPINE CORPORATION

DOCKET

97-AFC-2C

DATE JUN 16 2011

RECD. JUN 20 2011

June 16, 2011

Ms. Christina Stora
Compliance Project Manager
California Energy Commission
1516 9th Street
Sacramento, CA 95614

**RE: Response to Data Request No. 8
Grimes Pipeline Project Amendment 97-AFC-02**

Dear Ms. Stora:

On behalf of Calpine Construction Finance Company, L.P. and CPN Pipeline Company, please find attached the Grimes Pipeline Project's Response to Commission Staff Data Request Number 8.

If you have any questions, please contact me at (925) 557-2238.

Sincerely,

Barbara McBride
Western Regional Director, Environmental Health and Safety
Calpine Corporation

**SUTTER ENERGY CENTER PROJECT (97-AFC-2C) AMENDMENT, DATA REQUEST #8
(TECHNICAL AREA: BIOLOGY)**

DATA REQUEST SUMMARY

The U.S. Fish and Wildlife Service issued new guidance on golden eagle nest avoidance since the Sutter Energy Project was licensed. Staff needs information on the presence of golden eagle territories in the project area in order to complete a discussion of LORS that are new or changed since the original project licensing.

Data on the occurrence of golden eagle nests within a 10-mile radius of the project site was requested as part of Data Request #8. In addition, staff requested an analysis on the potential for indirect impacts to nesting golden eagles during construction, if nests occur in a 10-mile radius around the project area.

DATA RESPONSE

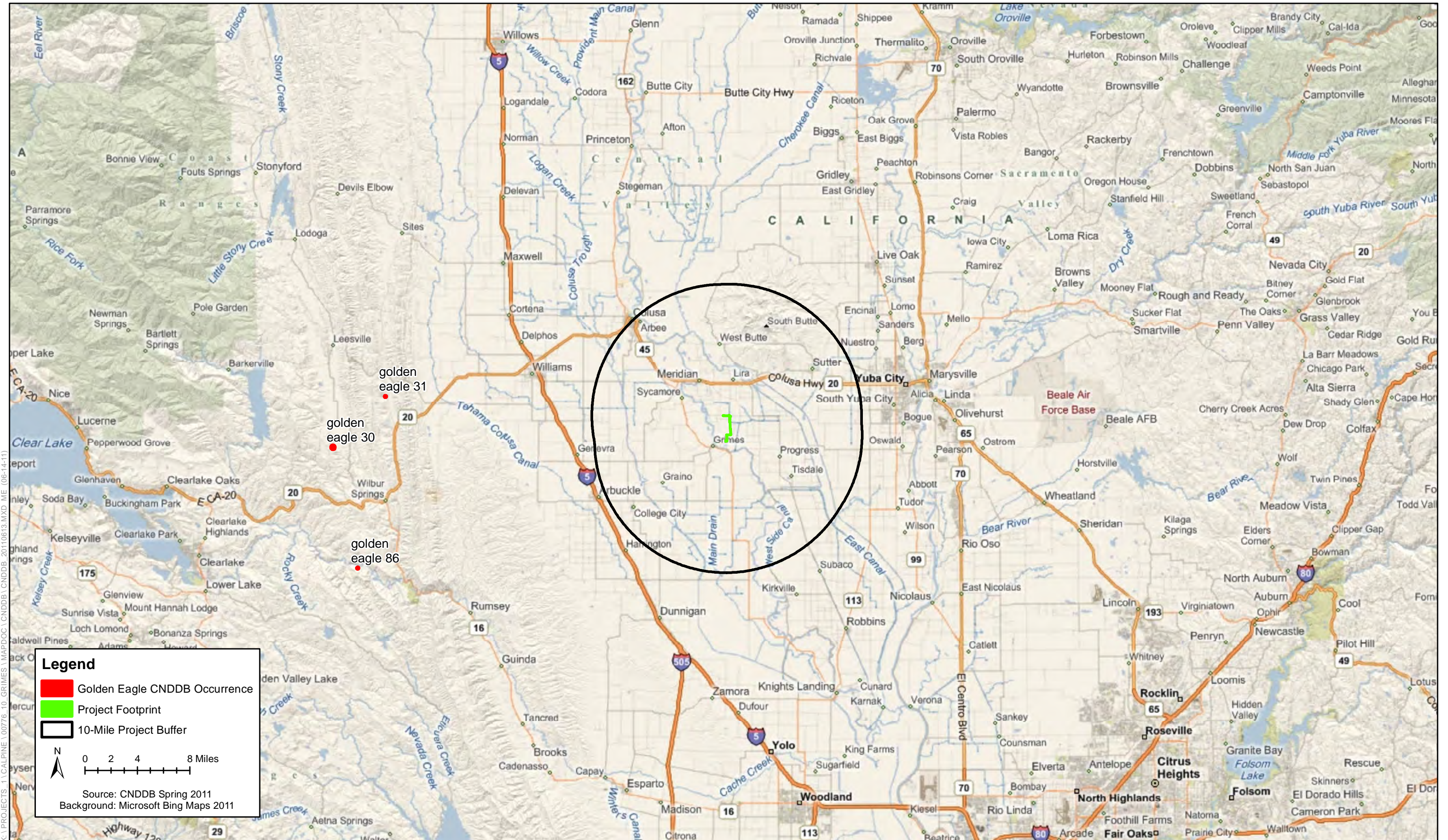
Based on the California Energy Commission's (CEC) request (described above), an ICF ornithologist with over 25 years of experience (Bud Widdowson) reviewed in-house field survey data gathered for other projects in the region, reviewed existing database information (California Natural Diversity Data Base [CNDDDB] 2011), and contacted a California Department of Fish and Game biologist (Mr. Paul Hofmann) to determine the potential for golden eagles to nest within 10 miles of the Grimes Pipeline Project area. According to the CNDDDB records search, there are no historic records of golden eagle nests within 10 miles of the project area. Furthermore, there is only a single nesting record located within a 20-30 mile buffer of the project area (see attached map). The following occurrences were recorded in the CNDDDB:

- 20-30 mile buffer: 1 golden eagle
- 30-40 mile buffer: 9 golden eagles
- 40-50 mile buffer: 8 golden eagles

Golden eagles are exceedingly uncommon on the Central Valley floor. In central California they are considered foothill and oak savannah specialists. There is a potential for incidental occurrences (e.g., as reportedly observed during the field visit with the CEC biologists on April 16, 2011). Golden Eagles are probably more likely to occur in winter as a passing visitor as they disperse from natal areas in the western foothills. However, in Mr. Widdowson's experience, he has never seen a golden eagle near the project area, and has only seen a very few in the refuge areas in the 25 years of working in the region. During a June 14, 2011 telephone conversation with Mr. Hofmann, Mr. Hoffman concurred that there is a low potential for golden eagle nesting within 10 miles of the project area.

Data Response #8
Grimes Pipeline Project (97-AFC-2)

Based on the lack of records within 10 miles of the project area and overall low potential for the species to nest in the region, there is a very low potential for the proposed Grimes Pipeline Project to directly or indirectly impact nesting golden eagles. For this reason, no mitigation is recommended.



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