

**Stora, Christine@Energy**

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**From:** Crisp, Ann@Energy  
**Sent:** Wednesday, May 08, 2013 8:28 AM  
**To:** Stora, Christine@Energy  
**Subject:** FW: PSEGS BUOW edits



Hi Christine,

Please docket the following email.

Thanks!

Ann

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**From:** Magdalena Rodriguez [<mailto:Magdalena.Rodriguez@wildlife.ca.gov>]  
**Sent:** Wednesday, April 10, 2013 4:43 PM  
**To:** Kim Marsden; Crisp, Ann@Energy; Watson, Carol@Energy; Joel Pagel; Thomas Dietsch; Shankar Sharma  
**Subject:** Re: PSEGS BUOW edits

Ann,

I'm fine with the minor change to the BUOW condition.

Magdalena

>>> "Crisp, Ann@Energy" <[Ann.Crisp@energy.ca.gov](mailto:Ann.Crisp@energy.ca.gov)> 3/29/2013 3:31 PM >>>  
Hi there,

Attached is the BIO-18 condition of certification from the licensed Palen project with the project owner's proposed edits in paragraph 4a. The project owner stated in the Supplement to the Petition to Amend that this edit is proposed as follows:

*PSH recommends a modification to Item 4 of Condition of Certification **BIO-18** to provide clarification of the borrowing owl mitigation. As written, Item 4 would require potentially extensive surveys to be conducted to identify if a burrowing owl had a territory within 5 miles of an otherwise very adequate compensation parcel. Bird territories are not static for several reasons, including that new birds enter areas and social structures change. It would be unfortunate and costly to burrowing owls and the project owner to reject an otherwise excellent compensation parcel simply because an owl was not found to be nesting within 5 miles in the particular year that the survey was conducted for the potential compensation lands. Instead, PSH suggests a more realistic and biologically relevant change consistent with the wording included in the Genesis Solar Energy Project Final Decision.*

The language the project owner proposed was used in Genesis and HHSEGS. Since this proposed language has been used in later cases I am inclined to agree with it but would like your input. Could you please provide feedback in the next two weeks (before the workshop tentatively scheduled for 4/16 or 4/17)?

Thanks!

Ann

Ann Crisp  
Staff Biologist

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