
PUBLIC UTILITIES COMMISSION505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

Mr. Jeffrey Durocher
Wind Permitting Manager
Iberdrola Renewables
1125 NW Couch Street, Suite 700
Portland, OR 97209
(sent via email: Jeffrey.Durocher@iberdrolausa.com)

May 7, 2010

Subject: Tule Wind Project - Data Request No. 5

Dear Mr. Durocher:

The California Public Utilities Commission (CPUC) requests additional information in support of the Tule Wind biological resources analysis for the East County Substation, Tule Wind, and Energia Sierra Juarez Gen-Tie Projects EIR/EIS. Please provide requested information in Attachment A regarding the Tule Wind Project biological resources technical report that was submitted May 3, 2010. We would appreciate your response to this data request no later than May 14, 2010.

If you have any questions regarding this letter or need additional information, please contact me at 415.355.5580 or aei@cpuc.ca.gov.

Sincerely,

Iain Fisher
Energy Division
California Public Utilities Commission

Cc: Greg Thomsen, BLM (GThomsen@blm.gov)
Thomas Zale, BLM (Thomas_Zale@blm.gov)
Jeffery Childers, BLM (Jeffery_Childers@blm.gov)
Shannon D'Agostino, HDR (Shannon.D'Agostino@hdrinc.com)

Biological Resources

1. Please provide more detail on the location of the golden eagle territories and active nests. Although this information is understood to be sensitive, location information relative to the Tule Wind Project site is essential for determining significance of the project and analysis of cumulative effects. Please provide the Wildlife Research Institute report documenting the nest survey conducted in April 2010.
2. Please provide a species-by-species discussion of risk of turbine collision for special-status bird and bat species that occur or have a moderate to high potential to occur in the vicinity of the project.
3. Please provide discussion of the biological resources (e.g., vegetation communities, jurisdictional resources, special-status species) in the 374 acres of unsurveyed area in the study area. Please provide schedule for completing surveys in this area, if available.
4. Please provide more information on proposed habitat compensation for permanent impacts to 530 acres of vegetation communities. At a conceptual level, do you have any lands identified, where will the mitigation land be located, will it be in-kind mitigation, how will it be protected (e.g., conservation easement or other legal protection), how will it be managed over the long-term?
5. The HDR Biological Technical Report indicates low potential for long-eared owl; however, the Tetra Tech Avian Survey Report (2009) shows 1 incidental observation of long-eared owl and the “Bird Nest Locations” map provided by Iberdrola seems to indicate a long-eared owl nest near Cottonwood Creek campground (shown on the map as LEOW1). Please provide information to clarify this apparent discrepancy.
6. The HDR Biological Technical Report indicates that Quino checkerspot butterfly surveys and rare plant surveys are ongoing. Please provide schedule for completing surveys and providing results, if available.
7. Section 1.4.4.1 of the HDR Biological Technical Report states that the site is located in San Diego and within “the Pacific Flyway, a major north-south bird migration route” and that the “McCain Valley lies within the Peninsular Ranges, which is capable of supporting more than 400 bird species”. The impact analysis states that “the construction and operation of the proposed project will not interfere with the movement of any native wildlife species or interfere with known migration corridors” and does not mention the pacific flyway at all. Please provide additional information related to the proposed project’s effects on bird migration.