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To	Billie Blanchard, California Public Utilities Commission (CPUC)
CC	Jeff Thomas (Panorama), Sheila Hoyer (Panorama)
Subject	Response to Nest Buffer Reduction Request (NBRR) #1 Approval
From	Michelle Fehrensen, AECOM Project Manager
Date	March 30, 2017

In response to the CPUC conditions to the Sycamore – Penasquitos 230 kV Transmission Line Project (Project) NBRR #1, AECOM provides the following responses.

Condition 1: ***Clarify the approach for morning monitoring of nests where a nest buffer reduction has been implemented.***
Response: Nests will be monitored in the morning within 4 hours of sunrise immediately following construction from a distance using binoculars or a spotting scope whenever possible to minimize nest disturbance. If nest cannot be adequately monitored from a distance, the CPUC qualified biologists (qualified biologist) will approach the nest to gather nest data. When approaching a nest, the qualified biologist will first determine whether there are any potential nest predators nearby, such as raptors, corvids, jays, and brown-headed cowbirds. If no predators are observed, the qualified biologist will approach the nest and collect nest data. The qualified biologist will observe the nest for a sufficient amount of time based on their professional judgment (usually between 30-60 minutes if an adult is not immediately observed on the nest) to determine nest status and will record the nest status (e.g., nest building, incubating, nestlings, etc.), and observe avian behavior (carrying food, agitation or distress, etc.). If the qualified biologist is unable to make a determination on nest status and has not detected the nest pair in the vicinity of the nest,the qualified biologist will continue to monitor the nest daily for a period of 5 days. If the qualified biologist is not able to determine nest status after 5 days due to lack of activity at the nest (including the observation of fledgling groups in the vicinity of the nest), the biologist will determine the nest is no longer active.

The qualified biologist will gather appropriate nest data to allow proper documentation of nest stage and recommended buffer effectiveness. The qualified biologist will make assessments based on their experience, professional judgment and the following considerations: incubation period and nestling period (i.e., fledge date) of species, geographic location, existing ambient conditions (human activity such as traffic, jet noise, rail noise, etc.), type and extent of construction within nest buffer, visibility of construction to nest, and other environmental factors such as the species' site-specific level of habituation to disturbance.

Condition 2: ***Clarify how the kestrel nest will be inspected since this species is a cavity nester.***
Response:The kestrel nest cavity will be monitored through observation of the entrance to determine if incubating adults are inside. In general, adult birds will leave the nest every 20 to 40 minutes to feed and conduct self-maintenance activities, or a mate will arrive to provide food.

Condition 3: ***Increase or reinstate the buffer if there are signs of significant disturbance and risk of project-induced nest abandonment consistent with Mitigation Measure Biology-7.***
Response: The nest buffers will be increased or reinstated if there are signs of significant disturbance and risk of project-induced nest abandonment consistent with MM Biology-7.

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