

CONTRACT REQUESTS FORM (CRF)

CEC-94 (Revised 5/11)

CALIFORNIA ENERGY COMMISSION

 New Contract Amendment to Existing Contract:

Amendment Number:

Division	Contract Manager:	MS-	Phone	CM Training Date
ERDD - Environmental Area	Joe O'Hagan	43	916-327-1368	11/14/2007

Contractor's Legal Name	Federal ID Number
US Geological Survey	53-0196958

Title of Project
Research to Improve Golden Eagle Management in the Desert Renewable Energy Conservation Planning Area

Term	Start Date	End Date	Amount
New/Original Contract	6/21/2013	3/31/2015	\$ 314,000

Line up the Amendment information as best as possible within the following table.

Amendment #	End Date (mm/dd/yy)	Amount

Business Meeting Information			
Proposed Business Meeting Date	5/8/2013	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Discussion
Business Meeting Presenter	Joe O'Hagan	Time Needed:	5 minutes

Agenda Item Subject and Description
Possible approval of contract #500-12-007 with the United States Geological Survey for \$314,000.00 to address high priority siting and permitting issues for renewable energy development in the Desert Renewable Energy Conservation Planning (DRECP) area. This project will involve the development of a standardized protocol for surveying golden eagles to establish a consistent basis for population assessments and to provide energy developers and others with a consistent monitoring methodology. The project will also involve the assessment of golden eagle nesting success, food habits, prey abundance, and associated habitat to inform DRECP golden eagle management measures and the permitting of renewable energy facilities. The length of this agreement is 21 months. (PIER Electricity funding) Contact: Joe O'Hagan. (5 minutes)

Business Meeting approval is not required for the following types of contracts: *Executive Director's signature is required in all cases.*

- Contracts less than \$10k (*Policy Committee's signature is also required*)
- Amendment for a no-cost time extension. Must be first extension, less than one year and original contract less than \$100k.
- Contracts less than \$25k for Expert Witness in Energy Facility licensing cases and amendments.

Purpose of Contract or Purpose of Amendment, if applicable
This purpose of this agreement is to develop a surveying and monitoring protocol for golden eagles in the Southern California desert in order to establish a consistent basis for population assessments and to provide energy developers and others with a consistent monitoring methodology. The project will involve the assessment of prey availability for golden eagles, especially near nesting sites, to determine how the loss of habitat from energy development may affect golden eagle populations. Information from the project will inform golden eagle management in the Desert Renewable Energy Conservation Plan and energy facility permitting.

California Environmental Quality Act (CEQA) Compliance
1. Is Contract considered a "Project" under CEQA? <input checked="" type="checkbox"/> Yes: skip to question 2 <input type="checkbox"/> No: complete the following (PRC 21065 and 14 CCR 15378): Explain why contract is not considered a "Project":
2. If contract is considered a "Project" under CEQA: <input checked="" type="checkbox"/> a) Contract IS exempt. (Draft NOE required) <input type="checkbox"/> Statutory Exemption. List PRC and/or CCR section number: _____ <input checked="" type="checkbox"/> Categorical Exemption. List CCR section number: 14 CCR 15306 <input type="checkbox"/> Common Sense Exemption. 14 CCR 15061 (b) (3) Explain reason why contract is exempt under the above section: The project involves conducting site surveys and analyzing survey data. <input type="checkbox"/> b) Contract IS NOT exempt. The Contract Manager needs to consult with the Energy Commission attorney assigned to their division and the Siting Office regarding a possible Initial Study.

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CALIFORNIA ENERGY COMMISSION



Budgets Information								
Contract Amount Funded		Breakdown by FY			Funding Sources			
Funding Source	Amount	FY	Amount	Approved?	Funding Source	FY	Budget List No.	Amount
ARFVTF	\$	12-13	\$314,000	Yes	PIER-E	11-12	501.027J	\$314,000
ECAA	\$		\$					\$
State- ERPA	\$		\$					\$
Federal	\$		\$					\$
PIER - E	\$314,000		\$					\$
PIER - NG	\$		\$					\$
Reimbursement	\$		\$					\$
Other	\$		\$					\$
TOTAL:	\$314,000	TOTAL:	\$314,000		TOTAL:			\$314,000
Reimbursement Contract #:					Federal Agreement			
Contractor's Administrator/ Officer					Contractor's Project Manager			
Name:	Cindy Lu			Name:	Susan Jones			
Address:	3020 STATE UNIVERSITY DR E STE 3006			Address:	3020 STATE UNIVERSITY DR E STE 3006			
City, State, Zip:	SACRAMENTO, CA 95819-2632			City, State, Zip:	SACRAMENTO, CA 95819-2632			
Phone/ Fax:	916-278-9480 /			Phone/ Fax:	916-278-9491 /			
E-Mail:	clu@usgs.gov			E-Mail:	sjones@usgs.gov			
Contractor Is								
<input type="checkbox"/> Private Company (including non-profits) <input type="checkbox"/> CA State Agency (including UC and CSU) <input checked="" type="checkbox"/> Government Entity (i.e. city, county, federal government, air/water/school district, joint power authorities, university from another state)								
Selection Process Used								
<input type="checkbox"/> Solicitation <u>Select Type</u> Solicitation #: _____ # of Bids: _____ Low Bid? <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Non Competitive Bid (Attach CEC 96) <input checked="" type="checkbox"/> Exempt Other Government Entity								
Civil Service Considerations								
<input type="checkbox"/> Not Applicable (Contract is with a CA State Entity or a membership/co-sponsorship) <input checked="" type="checkbox"/> Public Resources Code 25620, et seq., authorizes the Commission to contract for the subject work. (PIER) <input type="checkbox"/> The Services Contracted: <input type="checkbox"/> are not available within civil service <input type="checkbox"/> cannot be performed satisfactorily by civil service employees <input type="checkbox"/> are of such a highly specialized or technical nature that the expert knowledge, expertise, and ability are not available through the civil service system. <input type="checkbox"/> The Services are of such an: <input type="checkbox"/> urgent <input type="checkbox"/> temporary, or <input type="checkbox"/> occasional nature that the delay to implement under civil service would frustrate their very purpose.								
Justification:								
Public Resources Code 25620, et seq., authorizes the Commission to contract for the subject work. (PIER)								
Payment Method								
<input type="checkbox"/> A. Reimbursement in arrears based on: <input type="checkbox"/> Itemized Monthly <input type="checkbox"/> Itemized Quarterly <input type="checkbox"/> Flat Rate <input type="checkbox"/> One-time <input checked="" type="checkbox"/> B. Advanced Payment <input type="checkbox"/> C. Other, explain:								

CONTRACT REQUESTS FORM (CRF)



Retention		
1. Is contract subject to retention?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
If Yes, Do you plan to release retention prior to contract termination?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Justification of Rates		
The contract price is reasonable, particularly considering the facility provided by the contract terms. The research will be conducted by a national laboratory; salaries and wages are in accordance with costing practice for all Department of Energy programs.		
Disabled Veteran Business Enterprise Program (DVBE)		
1. <input checked="" type="checkbox"/> Not Applicable		
2. <input type="checkbox"/> Meets DVBE Requirements DVBE Amount:\$ _____ DVBE %: _____		
<input type="checkbox"/> Contractor is Certified DVBE		
<input type="checkbox"/> Contractor is Subcontracting with a DVBE: _____		
3. <input type="checkbox"/> Requesting DVBE Exemption (attach CEC 95)		
Is Contractor a certified Small Business (SB), Micro Business (MB) or DVBE?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
If yes, check appropriate box:		<input type="checkbox"/> SB <input type="checkbox"/> MB <input type="checkbox"/> DVBE
Is Contractor subcontracting any services?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
If yes, give company name and identify if they are a Small Business (SB), Micro Business (MB) and/or DVBE:		
Miscellaneous Contract Information		
1. Will there be Work Authorizations?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
2. Is the Contractor providing confidential information?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
3. Is the contractor going to purchase equipment?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
4. Check frequency of progress reports		
<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> _____		
5. Will a final report be required?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
6. Is the contract, with amendments, longer than a year? If yes, why?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
The Department of General Services has agreed to give the Commission blanket authority to execute multi-year contracts to support the Commission's RD&D Programs.		
The following items should be attached to this CRF		
1. Scope of Work, Attach as Exhibit A.		<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Attached
2. Budget Detail, Attach as Exhibit B.		<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Attached
3. CEC 96, NCB Request		<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Attached
4. CEC 30, Survey of Prior Work		<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Attached
5. CEC 95, DVBE Exemption Request		<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Attached
6. Draft CEQA Notice of Exemption (NOE)		<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Attached
7. Resumes		<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Attached
8. CEC 105, Questionnaire for Identifying Conflicts		<input checked="" type="checkbox"/> Attached

 Contract Manager Date Office Manager Date Deputy Director Date

The following signatures are only required when contract approval is delegated to the Executive Office and not approved at a Business Meeting. See Business Meeting Information Section.

 Presiding Policy Committee Date Associate Policy Committee Date Executive Director Date

Exhibit A
SCOPE OF WORK

TECHNICAL TASK LIST

Task #	CPR	Task Name
1	N/A	Administration
2	N/A	Develop a Standardized Golden Eagle Monitoring Protocol
3	N/A	Assess Food Habits, Prey Availability, and Nesting Success

KEY NAME LIST

Task #	Key Personnel	Key Subcontractor(s)	Key Partner(s)
1	Kathleen Lonshore, United States Geological Survey		
2			
3			

GLOSSARY

Specific terms and acronyms used throughout this work statement are defined as follows:

Acronym	Definition
CCM	Commission Contract Manager
CPR	Critical Project Review
DRECP	Desert Renewable Energy Conservation Plan
ECPG	Eagle Conservation Plan Guidance Module
Energy Commission	California Energy Commission
PAC	Project Advisory Committee
PIER	Public Interest Energy Research
USGS	United States Geological Survey

Problem Statement

The development of renewable energy generation such as wind and solar energy is expected to increase dramatically within habitats occupied by golden eagles (*Aquila chrysaetos*). This species is protected in the western United States, including those portions of the Mojave and Sonoran Deserts addressed by the Desert Renewable Energy Conservation Plan (DRECP). The State of California and the U.S. Department of the Interior are actively engaged in creating the DRECP to facilitate permitting for renewable energy projects in California's desert regions while balancing conservation of endangered species and natural communities. The plan will include conservation strategies and biological goals and objectives for the golden eagle to ensure the recovery and conservation of the golden eagle (characterized by a resilient, stable, or increasing population) in the DRECP area, and to facilitate permitting and compliance of utility scale renewable energy projects.

An understanding of golden eagle population dynamics in the desert and the potential impacts of wind and other energy development on that population is necessary to achieve DRECP goals. Wind energy development poses a unique challenge because of this species' vulnerability to collisions with wind turbines and sensitivity to disturbance. Potential risk from solar developments is likely indirect, occurring through loss of foraging habitat. However, solar concentrating facilities can cause direct mortality by incineration and collision with structures. The U.S. Fish and Wildlife Service is developing an Eagle Conservation Plan Guidance (ECPG) document to promote compliance with federal and state laws protecting eagles and to determine issuance criteria of programmatic take permits. The ECPG is being considered by the U.S. Fish and Wildlife Service in association with the DRECP for nationwide wind energy permitting.

Although there is a need for DRECP-wide population assessments of golden eagles, it remains unclear what monitoring tools are needed to minimize risks to golden eagle populations while facilitating wind energy project permitting. Most existing long-term information on golden eagle populations is from studies that tracked trends in site-occupancy and reproduction of breeding pairs in local populations. Such information may not adequately address population resiliency to absorb additional mortality expected from blade-strike collisions, or account for the potentially large numbers of non-breeding individuals in a population that can quickly replace breeder mortality and complicate interpretations of population status. Broad-scale sampling methods based on aerial line-transect surveys can provide estimates of total population size of golden eagles. However, aerial-based sampling approaches require broad extrapolation to unsampled habitats and may not provide sufficient precision to determine the demographic response of golden eagles to wind energy development. For these reasons, a combination of monitoring tools may be required to meet the goals of the ECPG and DRECP.

There is also little information on how golden eagles may be impacted by loss of foraging habitat and associated prey food sources due to utility scale renewable energy development in the DRECP planning area. Golden eagles are generalists, preying mostly on a variety of species but primarily on mammals, and secondarily on birds. Although the abundance of prey has been correlated with golden eagle reproductive success and with habitat use by non-breeding eagles, there is little or no published information on the food habits of golden eagles in the Mojave and Colorado Deserts. Information about nesting success, food habits, and prey distribution and abundance in the DRECP is critical for understanding how variability in prey availability affects golden eagle populations.

Goals of the Agreement

The goal of this Agreement is to provide information necessary to promote effective golden eagle conservation and compatible renewable energy development within the DRECP.

Objectives of the Agreement

The objectives of this Agreement are to:

- Develop monitoring guidelines to ensure that future surveys and monitoring efforts provide a statistically robust methodology to assess golden eagle population dynamics.
- Conduct surveys that identify golden eagle nesting sites, assess prey availability, and assess the habitat needed by the prey.

Electronic File Format

The Contractor shall deliver an electronic copy (CD ROM or memory stick or as otherwise specified by the CCM) of the full text in a compatible version of Microsoft Word (.doc).

The following describes the accepted formats of electronic data and documents provided to the Energy Commission as contract deliverables and establishes the computer platforms, operating systems, and software versions that will be required to review and approve all software deliverables.

- Data sets shall be in Microsoft (MS) Access or MS Excel file format.
- PC-based text documents shall be in MS Word file format.
- Documents intended for public distribution shall be in PDF file format, with the native file format provided as well.
- Project management documents shall be in MS Project file format.

Software Application Development

If this scope of work includes any software application development, including but not limited to databases, websites, models, or modeling tools, the contractor shall utilize the following standard Application Architecture components in compatible versions:

- Microsoft ASP.NET framework (version 3.5 and up) Recommend 4.0
- Microsoft Internet Information Services (IIS), (version 6 and up) Recommend 7.5
- Visual Studio.NET (version 2008 and up) Recommend 2010
- C# Programming Language with Presentation (UI), Business Object and Data Layers
- SQL (Structured Query Language)
- Microsoft SQL Server 2008, Stored Procedures Recommend 2008 R2
- Microsoft SQL Reporting Services Recommend 2008 R2
- XML (external interfaces)

Any exceptions to the Electronic File Format requirements above must be approved in writing by the Energy Commission Information Technology Services Branch.

TASK 1 ADMINISTRATION

Instructions for Submitting Electronic Files and Developing Software

Electronic File Format

The Recipient will deliver an electronic copy (CD ROM or memory stick or as otherwise specified by the Commission Project Manager (CPM) of the full text of any Agreement products in a compatible version of Microsoft Word (.doc).

The following describes the accepted formats of electronic data and documents provided to the Energy Commission as products and establishes the computer platforms, operating systems, and software versions that will be required to review and approve all software deliverables.

- Data sets will be in Microsoft (MS) Access or MS Excel file format.
- PC-based text documents will be in MS Word file format.
- Documents intended for public distribution will be in PDF file format, with the native file format provided as well.
- Project management documents will be in MS Project file format.

Software Application Development

If this Scope of Work includes any software application development, including but not limited to databases, websites, models, or modeling tools, the Recipient will use the following standard Application Architecture components in compatible versions:

- Microsoft ASP.NET framework (version 3.5 and up) Recommend 4.0.
- Microsoft Internet Information Services (IIS), (version 6 and up) Recommend 7.5.
- Visual Studio.NET (version 2008 and up) Recommend 2010.
- C# Programming Language with Presentation (UI), Business Object and Data Layers.
- SQL (Structured Query Language).
- Microsoft SQL Server 2008, Stored Procedures Recommend 2008 R2.
- Microsoft SQL Reporting Services Recommend 2008 R2
- XML (external interfaces).

Any exceptions to the Electronic File Format requirements above must be approved in writing by the Energy Commission's Information Technology Services Branch.

Task 1.1 Attend Kick-off Meeting

The goal of this task is to establish the lines of communication and procedures for implementing this Agreement.

The Recipient shall:

- Attend a “Kick-Off” meeting with the CPM, the Grants Officer, and a representative of the Accounting Office. The Recipient shall bring its Project Manager, Agreement Administrator, Accounting Officer, and others designated by the CPM to this meeting. The administrative and technical aspects of this Agreement will be discussed at the meeting. Prior to the kick-off meeting, the CPM will provide an agenda to all potential meeting participants.

The administrative portion of the meeting shall include, but not be limited to, the following:

- Discussion of the terms and conditions of the Agreement
- Discussion of Critical Project Review (Task 1.2)
- Match fund documentation (Task 1.6) *No work may be performed until this documentation is in place.*
- Permit documentation (Task 1.7)
- Discussion of subcontracts needed to carry out project (Task 1.8)

The technical portion of the meeting shall include, but not be limited to, the following:

- The CPM’s expectations for accomplishing tasks described in the Scope of Work
- An updated Schedule of Products
- Discussion of Progress Reports (Task 1.4)
- Discussion of Technical Products (Product Guidelines located in Section 5 of the Terms and Conditions)
- Discussion of the Final Report (Task 1.5)

The CPM shall designate the date and location of this meeting.

- Submit an updated Schedule of Products, List of Match Funds, and List of Permits to the CPM.

Recipient Products:

- Updated Schedule of Products
- Updated List of Match Funds
- Updated List of Permits

Commission Project Manager Product:

- Kick-Off Meeting Agenda

Task 1.2 Critical Project Review (CPR) Meetings

The goal of this task is to determine if the project should continue to receive Energy Commission funding to complete this Agreement and to identify any needed modifications to the tasks, products, schedule, or budget.

CPRs provide the opportunity for frank discussions between the CPM and the Recipient. The CPM may schedule CPRs as necessary, and CPR costs will be borne by the Recipient.

Participants include the CPM and the Recipient, and may include the Commission Grants Officer, the Energy Research and Development Division technical lead, other Energy Commission staff and Management, and any other individuals selected by the CPM to provide support to the Energy Commission.

The Commission Project Manager shall:

- Determine the location, date, and time of each CPR meeting with the Recipient. These meetings generally take place at the Energy Commission, but they may take place at another location or may be conducted via electronic conferencing (e.g., WebEx), as determined by the Commission Project Manager.
- Send the Recipient the agenda and a list of expected participants in advance of each CPR. If applicable, the agenda shall include a discussion of both match funding and permits.
- Conduct and make a record of each CPR meeting. One of the outcomes of this meeting will be a schedule for providing the written determination described below.
- Determine whether to continue the project, and if so whether modifications are needed to the tasks, schedule, products, and/or budget for the remainder of the Agreement. If the CPM concludes that satisfactory progress is not being made, this conclusion will be referred to the Deputy Director of the Energy Research and Development Division.
- Provide the Recipient with a written determination in accordance with the schedule. The written response may include a requirement for the Recipient to revise one or more products that were included in the CPR.

The Recipient shall:

- Prepare a CPR Report for each CPR that discusses the progress of the Agreement toward achieving its goals and objectives. This report shall include recommendations and conclusions regarding continued work on the project. This report shall be submitted along with any other products identified in this Scope of Work. The Recipient shall submit these documents to the CPM and any other designated reviewers at least 15 working days in advance of each CPR meeting.
- Present the required information at each CPR meeting and participate in a discussion about the Agreement.

Commission Project Manager Products:

- Agenda and a list of expected participants
- Schedule for written determination
- Written determination

Recipient Product:

- CPR Report(s)

Task 1.3 Final Meeting

The goal of this task is to close out this Agreement.

The Recipient shall:

- Meet with Energy Commission staff to present the project findings, conclusions, and recommendations. The final meeting must be completed during the closeout of this Agreement.

This meeting will be attended by, at a minimum, the Recipient, the Commission Grants Office Officer, and the CPM. The technical and administrative aspects of Agreement closeout will be discussed at the meeting, which may be divided into two separate meetings at the discretion of the CPM.

The technical portion of the meeting shall involve the presentation of an assessment of the degree to which project and task goals and objectives were achieved, in addition to findings, conclusions, recommended next steps (if any) for the Agreement, and recommendations for improvements. The CPM will determine the appropriate meeting participants.

The administrative portion of the meeting shall involve a discussion with the CPM and the Grants Officer about the following Agreement closeout items:

- Disposition of any equipment purchased with Energy Commission funds
- Energy Commission's request for specific "generated" data (not already provided in Agreement products)
- Need to document Recipient's disclosure of "subject inventions" developed under the Agreement
- "Surviving" Agreement provisions
- Final invoicing and release of retention
- Prepare written documentation of any agreements made between the Recipient and Commission staff during the meeting.
- Prepare a schedule for completing the closeout activities for this Agreement.

Products:

- Written documentation of meeting agreements
- Schedule for completing closeout activities

Task 1.4 Monthly Progress Reports

The goal of this task is to periodically verify that satisfactory and continued progress is made towards achieving the research objectives of this Agreement on time and within budget.

The objectives of this task are to summarize activities performed during the reporting period, to identify activities planned for the next reporting period, to identify issues that may affect performance and expenditures, and to form the basis for determining whether invoices are consistent with work performed.

The Recipient shall:

- Prepare a Monthly Progress Report that summarizes all Agreement activities conducted by the Recipient for the reporting period, including an assessment of the ability to complete the Agreement within the current budget and any anticipated cost overruns. Each progress report is due to the CPM within 10 days of the end of the reporting period. The recommended specifications for each progress report are contained in the Terms and Conditions of this Agreement.
- In each Monthly Progress Report and invoice, document and verify:
 - Energy Commission funds received by California-Based Entities (CBEs);
 - Energy Commission funds spent in California; and Match fund expenditures
 - Provide synopsis of project progress.

Product:

- Monthly Progress Reports

Task 1.5 Final Report

The goal of the Final Report is to assess the project's success in achieving its goals and objectives, advancing science and technology, and providing energy-related and other benefits to California.

The objectives of the Final Report are to clearly and completely describe the project's purpose, approach, activities performed, results, and advancements in science and technology; to present a public assessment of the success of the project as measured by the degree to which goals and objectives were achieved; to make insightful observations based on results obtained; to draw conclusions; and to make recommendations for further projects and improvements.

The Final Report shall be a public document. If the Recipient has obtained confidential status from the Energy Commission and will also prepare a confidential version of the Final Report, the Recipient shall perform the following activities for both the public and confidential versions of the Final Report.

The Recipient shall:

- Prepare an Outline of the Final Report.
- Prepare a Final Report following the approved outline and the latest version of the Final Report guidelines which will be provided by the CPM. The CPM shall provide written comments on the Draft Final Report within 15 working days of receipt. The Final Report must be completed at least 90 days before the end of the Agreement Term.
- Submit one bound copy of the Final Report with the final invoice.

Products:

- Draft Outline of the Final Report
- Final Outline of the Final Report
- Draft Final Report
- Final Report

Task 1.6 Identify and Obtain Match Funds

The goal of this task is to ensure that the match funds planned for this Agreement are obtained and applied to this Agreement during the term of this Agreement.

The costs to obtain and document match fund commitments are not reimbursable through this Agreement. Although the Energy Commission budget for this task will be zero dollars, the Recipient may utilize match funds for this task. Match funds shall be spent concurrently or in advance of Energy Commission funds for each task during the term of this Agreement. Match funds must be identified in writing and the associated commitments obtained before the Recipient can incur any costs for which the Recipient will request reimbursement.

The Recipient shall:

- Prepare a letter documenting the match funding committed to this Agreement and submit it to the CPM at least 2 working days prior to the kick-off meeting. If no match funds were part of the proposal that led to the Energy Commission awarding this Agreement and none have been identified at the time this Agreement starts, then state such in the letter. If match funds were a part of the proposal that led to the Energy Commission awarding this Agreement, then provide in the letter a list of the match funds that identifies the:
 - Amount of each cash match fund, its source (including a contact name, address and telephone number), and the task(s) to which the match funds will be applied.

- Amount of each in-kind contribution, a description, documented market or book value, its source (including a contact name, address and telephone number), and the task(s) to which the match funds will be applied. If the in-kind contribution is equipment or other tangible or real property, the Recipient shall identify its owner and provide a contact name, address, telephone number, and the address where the property is located.
- Provide a copy of the letter of commitment from an authorized representative of each source of cash match funding or in-kind contributions that these funds or contributions have been secured. For match funds provided by a grant a copy of the executed grant shall be submitted in place of a letter of commitment.
- Discuss match funds and the implications to the Agreement if they are reduced or not obtained as committed, at the kick-off meeting. If applicable, match funds will be included as a line item in the progress reports and will be a topic at CPR meetings.
- Provide a letter including the appropriate information to the CPM if during the course of the Agreement additional match funds are received.
- Provide a letter to the CPM within 10 days if during the course of the Agreement existing match funds are reduced. Reduction in match funds must be approved through a formal amendment to the Agreement and may trigger an additional CPR.

Products:

- A letter regarding match funds or stating that no match funds are provided
- Copy(ies) of each match fund commitment letter(s) (if applicable)
- Letter(s) for new match funds (if applicable)
- Letter that match funds were reduced (if applicable)

Task 1.7 Identify and Obtain Required Permits

The goal of this task is to obtain all permits required for work completed under this Agreement in advance of the date they are needed to keep the Agreement schedule on track.

Permit costs and the expenses associated with obtaining permits are not reimbursable under this Agreement. Although the Energy Commission budget for this task will be zero dollars, the Recipient shall budget match funds for any expected expenditures associated with obtaining permits. Permits must be identified in writing and obtained before the Recipient can make any expenditure for which a permit is required.

The Recipient shall:

- Prepare a letter documenting the permits required to conduct this Agreement and submit it to the CPM at least 2 working days prior to the kick-off meeting. If there are no permits required at the start of this Agreement, then state such in the letter. If it is known at the beginning of

the Agreement that permits will be required during the course of the Agreement, provide in the letter:

- A list of the permits that identifies the:
 - Type of permit
 - Name, address and telephone number of the permitting jurisdictions or lead agencies
- The schedule the Recipient will follow in applying for and obtaining these permits.
- Discuss the list of permits and the schedule for obtaining them at the kick-off meeting and develop a timetable for submitting the updated list, schedule, and copies of the permits. The implications to the Agreement if the permits are not obtained in a timely fashion or are denied will also be discussed. If applicable, permits will be included as a line item in the Progress Reports and will be a topic at CPR meetings.
- If during the course of the Agreement additional permits become necessary, provide an updated list of permits (including the appropriate information on each permit) and an updated schedule to the CPM.
- As permits are obtained, send a copy of each approved permit to the CPM.
- If during the course of the Agreement permits are not obtained on time or are denied, notify the CPM within 5 working days. Either of these events may trigger an additional CPR.

Products:

- Letter documenting the permits or stating that no permits are required
- Updated list of permits as they change during the term of the Agreement (if applicable)
- Updated schedule for acquiring permits as changes occur during the term of the Agreement (if applicable)
- A copy of each approved permit (if applicable)

Task 1.8 Obtain and Execute Subcontracts

The goal of this task is to ensure quality products and to procure subcontracts required to carry out the tasks under this Agreement consistent with the terms and conditions of this Agreement and the Recipient's own procurement policies and procedures. This task will also provide the Energy Commission an opportunity to review the subcontracts to ensure that the tasks are consistent with this Agreement, and that the budgeted expenditures are reasonable and consistent with applicable cost principles.

The Recipient shall:

- Manage and coordinate subcontractor activities.
- Submit a draft of each subcontract required to conduct the work under this Agreement to the Commission Agreement Manager for review.
- Submit a final copy of the executed subcontract.

- If the Recipient decides to add new subcontractors, it shall notify the Commission Agreement Manager.

Products:

- Draft subcontracts
- Final subcontracts

TECHNICAL TASKS

The Contractor shall prepare all deliverables in accordance with the requirements in Task 1.5. Deliverables not requiring a draft version are indicated by marking “(no draft)” after the deliverable name.

Task 2 Develop a Standardized Golden Eagle Monitoring Protocol

The goal of this task is to develop a standardized protocol for surveying and monitoring golden eagle populations in areas covered by the DRECP. The protocol will be designed to provide information required to promote effective golden eagle conservation and compatible renewable energy development within the DRECP. Information collected under the survey and monitoring protocol will be especially critical in determining whether regulatory requirements and goals of the conservation plan are being met. The project will also provide valuable information on protocol effectiveness for surveying golden eagle populations at prospective wind project sites, which will improve the accuracy of risk predictions for proposed wind projects on golden eagles throughout the species’ geographic range.

The Contractor shall:

- Determine the precise information needs for golden eagle monitoring and the expected uses of future monitoring data;
- Compile existing survey data to characterize the historical and current distribution of golden eagles in the DRECP;
- Review and evaluate results from aerial and site-based surveys to determine the types of data that are most cost-effective for contributing to the needs of the ECPG and DRECP; and
- Develop a protocol for surveying and monitoring golden eagles within the DRECP.
- Prepare a Task 2 Summary Report that summarizes the activities performed in this task.

Deliverables:

- Task 2 Summary Report (no draft)

Task 3 Assess Food Habits, Prey Availability, and Nesting Success

The goal of this task is to assess the food habits, reproductive success, and prey availability of nesting golden eagles in the DRECP planning area. Information from this project will inform the DRECP conservation strategy by providing information to prevent possible conflicts between the need for important foraging habitat and the siting of proposed alternative energy developments. Project results may also inform mitigation efforts by identifying areas of high or low prey availability.

This task involves the collection of data for food habits, nest success, and prey species distribution and abundance over a single year. Information obtained from this data can be used to examine spatial patterns of food habits and prey abundance on the DRECP, but will not provide information for temporal variation of food habits, productivity, and prey abundance. This proposed study is an extension of similar work by the United States Fish & Wildlife Service starting in 2013 in Nevada and in portions of eastern California. Data collected for food habits of golden eagles during 2013 in Nevada will inform the survey design for 2014 in the DRECP.

The Contractor shall:

- Assess food habits of nesting golden eagles at selected sites across the DRECP using nest and pellet examination, visual observations, and digital cameras.
- Assess nest success using visual observations and digital cameras.
- Conduct surveys (line-transect and/or point counts, depending on the species) during spring and winter months at selected sites across the DRECP to explore spatial patterns of prey species distribution, density, and abundance across the landscape. Data on other predators such as coyotes will be collected during the surveys when possible.
- Use survey data to estimate the abundance and density of prey species across the landscape.
- Develop a geo-spatial map and electronic database of survey data of prey golden eagles species in the DRECP planning area.
- Prepare a Task 3 Summary Report that summarizes the activities performed in this task.

Deliverables:

- Task 3 Summary Report (No draft)

Notice of Exemption

Form D

To: Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

From: California Energy Commission
1516 Ninth Street, MS-48
Sacramento, CA 95814

Project Title: Research to Improve Golden Eagle Management in the Desert Renewable Energy Conservation Planning Area

Project Location – Specific: Placer Hall - 6000 J Street

Project Location – City: Sacramento, CA **Project Location – County:** Sacramento, Los Angeles, Riverside, San Diego, Inyo, San Bernardino and Imperial Counties.

Comment [mm1]: Aren't certain activities taking place within the DRECP? It will, so I identified the counties that make up the DRECP-Joe

Description of Project:

There are two objectives to this proposed project. The first is to assess food availability for nesting golden eagles in the Desert Renewable Energy Conservation Plan (DRECP), especially on populations near solar energy zones. This information will be used to develop models of prey (black-tailed jackrabbits) availability and abundance, and to determine how these vary by natural cycles of available forage and predation. These models will be used to link food availability to nesting success. The second objective is to develop a protocol for monitoring golden eagle populations in the DRECP and estimating population density and trends. This effort will include compiling existing data on DRECP golden eagles to estimate population size, density, and trends for golden eagles in the DRECP.

Name of Public Agency Approving Project: California Energy Commission

Name of Person or Agency Carrying Out Project: US Geological Survey

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number 14 CCR 15306
- Statutory Exemptions. State code number. _____
- Common Sense Exemption. 15061(b)(3)

Reasons why project is exempt:

The project involves conducting site surveys and analyzing survey data.

Lead Agency

Contact Person: Joe O'Hagan **Area code/Telephone/Ext:** 916-327-1368

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ **Date:** _____ **Title:** _____

Signed by Lead Agency

Signed by Applicant

Date received for filing at OPR: _____