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REPORT

ADDENDUM TO THE BIOLOGICAL RESOURCES TECHNICAL REPORT FOR THE RIO MESA SOLAR ELECTRIC GENERATING FACILITY RIVERSIDE COUNTY, CALIFORNIA

Prepared for

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URS Project No. 27651006

February 2012

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INTRODUCTION

The following letter report has been prepared in response to a California Energy Commission (CEC) data adequacy request that requests the completion of additional biological resources surveys of parcels for which URS Corporation (URS) did not have access during the original surveys completed in 2011. As stated in the published CEC data adequacy request, additional surveys are necessary so that the biological surveys are inclusive of the entire project site and project linear facilities. This report serves as an addendum to the original biological resources technical report, *Biological Resources Technical Report for the Rio Mesa Electric Generating Facility, Riverside County, California (Draft Final)* (URS 2011).

Six parcels totaling approximately 476.4 acres were not accrued in 2011 as, at that time, right of entry (ROE) had not been granted (Figure 1, 2 and 3). This report includes the results of the additional biological surveys including vegetation mapping, western burrowing owl (BUOW, *Athene cunicularia*) presence/absence surveys, and Waters of the United States (WUS) and Waters of the State of California (WSC) delineations, completed for these six parcels by URS in January 2012.

The proposed site for the Rio Mesa Solar Electric Generating Facility (Rio Mesa SEGF or Project) is situated on the east side of the Mule Mountains approximately 13 miles southwest of Blythe, California (Figure 1). The site is located in the Colorado Desert region of the Sonoran Desert on the Palo Verde Mesa in Riverside County, California.

The original 11,277 acre Biological Study Area (BSA) for the proposed Project consists of the main project site where the three solar plants and common area are proposed (plus a 500-foot buffer), the generator tie-line (gen-tie line) along existing transmission lines that extend to the proposed Colorado River Substation (plus a 650-foot buffer), and access areas from State Route 78 via Bradshaw Trail and 34th Avenue (plus a 100-foot buffer).

As per recommendations by the California Department of Fish and Game (CDFG), winter burrowing owl Phase II and Phase III level surveys were completed for survey areas 1 and 4, totaling approximately 218.4 acres. BUOW surveys were conducted only on survey areas 1 and 4, as survey areas 2, 3, 5, and 6 were previously completed in 2011. Previous efforts of vegetation mapping and desktop delineations of WUS and WSC were verified for the six parcels totaling 476.4 acres to which URS previously did not have access. The acreage not surveyed were portions of the parcels that were outside the BSA.

METHODS

VEGETATION MAPPING

Initial desktop mapping was conducted using a Geographic Information System (GIS) and high-resolution aerial photography (VTN 2011). Biologists verified the vegetation mapping of the ROE parcels through on-site foot surveys using field maps and Global Positioning Service (GPS) units. These on-site foot surveys were conducted January 9, 10, and 11, 2012.

Vegetation communities were mapped according to the second edition of *A Manual California Vegetation* (Sawyer et. al 2009). Vegetation communities were identified according to the percent cover of dominant plant species observed. Vegetation communities are groupings of ecologically distinctive plant assemblages based on dominant species observed, where individual dominant species are present at approximately 20 percent or higher cover. Community classifications were based on dominant species comprising approximately 50 percent or more of the total cover within the mapped unit relative to the list of dominant species for a given vegetation community (i.e., grasslands must have at least approximately 50 percent cover with dominant grass species to be mapped as grassland). In cases where dominant species did not comprise more than 50 percent of the total cover, subdominant or co-dominant species having between approximately 10 percent and 20 percent cover were used to characterize the mapped unit. Percent cover was visually estimated. Maps used for field surveys were generally at a scale of one inch = 300 feet or larger.

BURROWING OWL FIELD SURVEY METHODS

Suitable BUOW habitat occurs within three of the six previously inaccessible parcels. Phase II surveys for the BUOW [CDFG Species of Special Concern (SSC)] were conducted according to the *California Burrowing Owl Consortium Survey Protocol*, developed in 1993. Phase II surveys were conducted on January 9, 2012 and consisted of belt-transect surveys, with biologists spaced at 30 meters, to allow for 100 percent visual coverage to locate BUOWs, burrows and other BUOW signs (e.g., pellets, white wash, feathers).All potentially active tortoise, kit fox, badger, and BUOW burrows were identified on datasheets and marked with a GPS unit. A single burrow found in one of the surveyed parcels was assessed as a BUOW burrow as evidenced by pellets and whitewash. This burrow was then monitored (Phase III survey) to determine occupation by owls.

Phase III surveys were conducted on four separate days from January 9 through January 12, 2012, according to survey protocol from the *California Burrowing Owl Consortium Survey Protocol.* Phase III surveys were conducted for the aforementioned potentially active BUOW burrow. During the four-day survey, the burrow was observed for BUOW activity. These surveys were conducted either in the afternoon/evening, from two hours before sunset to one hour after sunset, or in the morning, from one hour before sunrise to two hours after sunrise. Surveys were conducted during weather that was conducive to observing BUOW outside their burrows. The burrow was observed

using binoculars from the best vantage point possible to provide visual coverage of the burrow. Surveyors maintained a minimum distance of 50 meters (approximately 160 feet) from the burrow to avoid disturbance to BUOW and checked the burrow after the survey for any new sign.

PRELIMINARY WATERS OF THE UNITED STATES

Areas considered and assessed as potential jurisdictional WUS were based on wetland delineation practices that are in compliance with Section 404 of the Clean Water Act (CWA), Sections 9 and 10 of the Rivers and Harbors Act of 1899 (RHA), and United States Army Corps of Engineers (USACE) Regulatory Guidance Letter No. 08-02 dated 26 June 2008. The methodology to determine what is proposed jurisdictional waters involved the following criterion:

> **Ordinary High Water Mark (OWHM)**: Areas with higher density vegetation, but lacking any of the OHWM characteristics, were eliminated as proposed jurisdictional waters, whereas proposed jurisdictional waters exhibited conditions indicative of OHWMs being present.

Features were considered proposed jurisdictional regardless of connectivity to the Colorado River, the nearest traditionally navigable water (TNW).

PRELIMINARY WATERS OF THE STATE OF CALIFORNIA

Areas considered and assessed as potential WSC were evaluated by URS based on delineation practices that are in compliance with requirements of Section 1600 *of the California Fish and Game Code, Streambed Alteration Agreement.* URS followed CDFG usual practice to interpret the jurisdictional limits of state jurisdictional waters to include any one of the criteria identified below.

(1) At minimum, intermittent and seasonal flow through a well-defined bed or channel with banks and also supports fish or other aquatic life.

(2) A watercourse having a surface or subsurface flow regime that supports or has previously supported riparian vegetation.

(3) Hydrogeomorphically distinct top-of-embankment to top-of-embankment limits (i.e., well-defined bed and bank).

(4) Outer ground cover and canopy extent of typical riparian associated vegetation beyond the top-of bank that would be sustained by surface and/or subsurface waters from the WSC watercourse.

RESULTS

VEGETATION MAPPING RESULTS

Nine native vegetation alliances, as defined in the document titled *A Manual of California Vegetation, Second Edition* (Sawyer et al. 2009), were observed in the BSA. The primary vegetation types are creosote bush scrub, creosote bush/white burr sage scrub, and blue palo verde/ironwood woodland. Disturbed areas are associated with unpaved roads and trails, maintenance areas for existing transmission line poles, and ROWs along underground pipeline routes.

Included in these nine native vegetation alliances are six sensitive alliances: blue palo verde ironwood woodland, mesquite/bush seepweed scrub, creosote bush/white burr sage scrub with big galleta grass association, brittle bush/ferocactus scrub, desert dunes, and bush seepweed. Sensitive vegetation communities are natural vegetation communities that are of limited distribution within a county, region or state (CDFG 2010). These vegetation communities are often vulnerable to environmental impacts associated with the construction and maintenance of projects.

Vegetation communities were mapped during the January 2012 on-site foot surveys on parcels to which ROE was granted (Figures 2 and 3). Current and previous acreages for each vegetation community are shown in Table 1. Changes in boundaries since the biotechnical report account for a decrease in total acreage as displayed in Table 1. Direct and indirect impacts associated with the changes in acreage for each vegetation type are displayed in Table 2.

Table 1
ROE Vegetation Mapping Survey:
Before and After Acreage by Vegetation Communities within the BSA

Rio Mesa SEGF Vegetation Community Acreages Comparison			
Vegetation Community/Alliance	**ROE Parcel Acreage**	**Total Acreage prior to ROE surveys**	**Total Acreage after ROE surveys ***
1 – Creosote/White Burr Sage Scrub	200.3	3905.1	3322.8
2 – Blue Palo Verde/Ironwood Woodland	117.3	2237.8	2130.7
3 – Creosote Bush Scrub	62.3	2814.3	2723.6
4 – Bush Seepweed Scrub/Mesquite Bosque	0.0	110.3	98.6
5 – Creosote Bush/White Burr Sage Scrub with Ocotillo Association	0.0	68.6	68.6

Rio Mesa SEGF Vegetation Community Acreages Comparison			
Vegetation Community/Alliance	**ROE Parcel Acreage**	**Total Acreage prior to ROE surveys**	**Total Acreage after ROE surveys ***
6 – Creosote Bush/White Burr Sage Scrub with Big Galleta Grass Association	50.3	923.1	485.7
7 – Brittle Bush/Ferocactus Scrub	7.3	220.4	199.5
8 – Desert Dunes	28.3	789.2	80.6
9 – Bush Seepweed Scrub	0.0	7.5	7.5
10 – Agriculture	0.0	85.7	85.7
11 – Developed/Open channel	0.0	0.8	0.8
12 – Ruderal	10.9	44.2	55.1
99 – Not Surveyed-no right of entry at time of survey	0.0	70.0	29.4
TOTAL*	**476.4**	**11277.0***	**9288.6***

*Changes in boundaries since the biological technical report account for a decrease in total acreage within the BSA.
BSA – Biological Survey Area
ROE – Right of Entry

Table 2
Direct and Indirect Impacts to Vegetation Communities within the BSA

Direct and Indirect Impacts (Acres)						
Vegetation Type	**Inside Fence Line**	**Gen-tie Line**	**Access Roads**	**Total Direct Impacts**	**Total Indirect Impacts (500 ft Buffer from Fence Line)**	**Total Project Impacts (Direct plus Indirect)**
Creosote Bush Scrub	1,764.13	2.81	2.95	**1,769.89**	555.51	**2,325.40**
Creosote / White Burr Sage Scrub	2,416.21	5.90	1.64	**2,423.75**	331.86	**2,755.61**
Creosote Bush / White Burr Sage Scrub with Big Galleta Grass Association #	135.91	0.63	0.19	**136.73**	105.78	**242.51**
Creosote Bush / White Burr Sage Scrub with Ocotillo Association #	60.73	0.00	0.00	**60.73**	7.90	**68.63**
Blue Palo Verde / Ironwood Woodland #	1,135.74	2.30	1.42	**1,139.46**	313.97	**1,453.43**
Brittle Bush / Ferocactus Scrub #	2.43	0.00	0.00	**2.43**	44.08	**46.51**
Desert Dunes #	0.00	5.60	2.31	**7.91**	0.00	**7.91**
Mesquite Bosque / Bush Seepweed#	0.00	0.00	0.47	**0.47**	0.31	**0.78**
Open Channel	0.00	0.00	0.02	**0.02**	0.02	**0.04**
Ruderal	10.87	0.00	0.97	**11.84**	0.65	**12.49**
Agriculture	0.00	0.00	10.10	**10.10**	5.83	**15.93**
Totals	**5,526.02**	**17.24**	**20.07**	**5,563.33**	**1,365.91**	**6,929.24**

BSA – Biological Survey Area
Gen-tie – Generator tie-line

WESTERN BURROWING OWL RESULTS

BUOW Phase II

A single potential BUOW burrow was observed during the Phase II belt-transect surveys (Figure 4) as evidenced by last season's BUOW sign (pellets and faded whitewash). The burrow was part of an old kit fox den that had several openings and an abundance of old kit fox sign covering the aprons. Five kit fox den burrows detected during Phase II surveys are also shown in Figure 4.

BUOW Phase III

During the Phase III surveys in which the burrow was visited on four consecutive days, no BUOW were observed using the burrow. In addition, no new activity was observed during the four day Phase III survey period at or around the potentially active burrow.

PRELIMINARY WATERS OF THE UNITED STATES RESULTS

During the January 2012 field verification surveys, no additional WUS were observed on the six additional parcels. The desktop delineated WUS completed in October 2011, covered these six additional parcels. A total of approximately 1,178.78 acres of potentially jurisdictional WUS were identified and mapped in the project area, with an additional 254.82 acres in the biological survey buffer. This number includes 621.30 acres of direct impacts and 158.13 acres of indirect impacts.

PRELIMINARY WATERS OF THE STATE OF CALIFORNIA RESULTS

During the January 2012 field verification surveys, no additional WSC were observed on the six additional parcels. The desktop WSC delineation was completed in October 2011 and covered these six additional parcels. A total of approximately 2,608.46 acres of potentially jurisdictional WSC were identified and mapped in the biological survey area, which includes 1,264.94 acres of direct impacts and 347.61 acres of indirect impacts.

CONCLUSIONS

VEGETATION MAPPING CONCLUSIONS

Six sensitive vegetation communities exist in the revised Project area: blue palo verde ironwood woodland decreased in acreage from 2237.8 to 2130.7 acres, mesquite/bush seepweed scrub decreased in acreage from 110.3 to 98.6, creosote bush/white burr sage scrub with big galleta grass association decreased from 923.1 to 485.7 acres, brittle bush/ferocactus scrub decreased from 220.4 to 199.5 acres, and bush seepweed did not change in acreage (Figures 2 and 3). The acreage for the desert dunes community had the largest decrease from 789.2 to 80.6 acres (Table 1). As a result of these changes, the total potential impacts to the six sensitive vegetation communities for the Project area, has decreased by a total of 105.5 acres.

BURROWING OWL CONCLUSIONS

During both winter season Phase II and Phase III surveys on the three parcels, BUOW activity was not observed. This is consistent with the findings of the spring BUOW Phase II surveys for the rest of the Project site. During the spring Phase II spring surveys, 17 potential burrows were identified and subsequently monitored during spring Phase III surveys. No BUOW activity was observed at the 17 burrows during the spring Phase III surveys. A total of 18 BUOW burrows are present within the current BSA.

PRELIMINARY WATERS OF THE UNITED STATES CONCLUSIONS

The 2012 field survey verified the results and conclusions of the desktop delineation in these ROE parcels. Therefore, there are no changes to the WUS acreage mapped in the project area.

PRELIMINARY WATERS OF THE STATE OF CALIFORNIA CONCLUSIONS

The 2012 field survey verified the results and conclusions of the desktop delineation for these six ROE parcels. There are no changes to the WSC acreage mapped in the project area.

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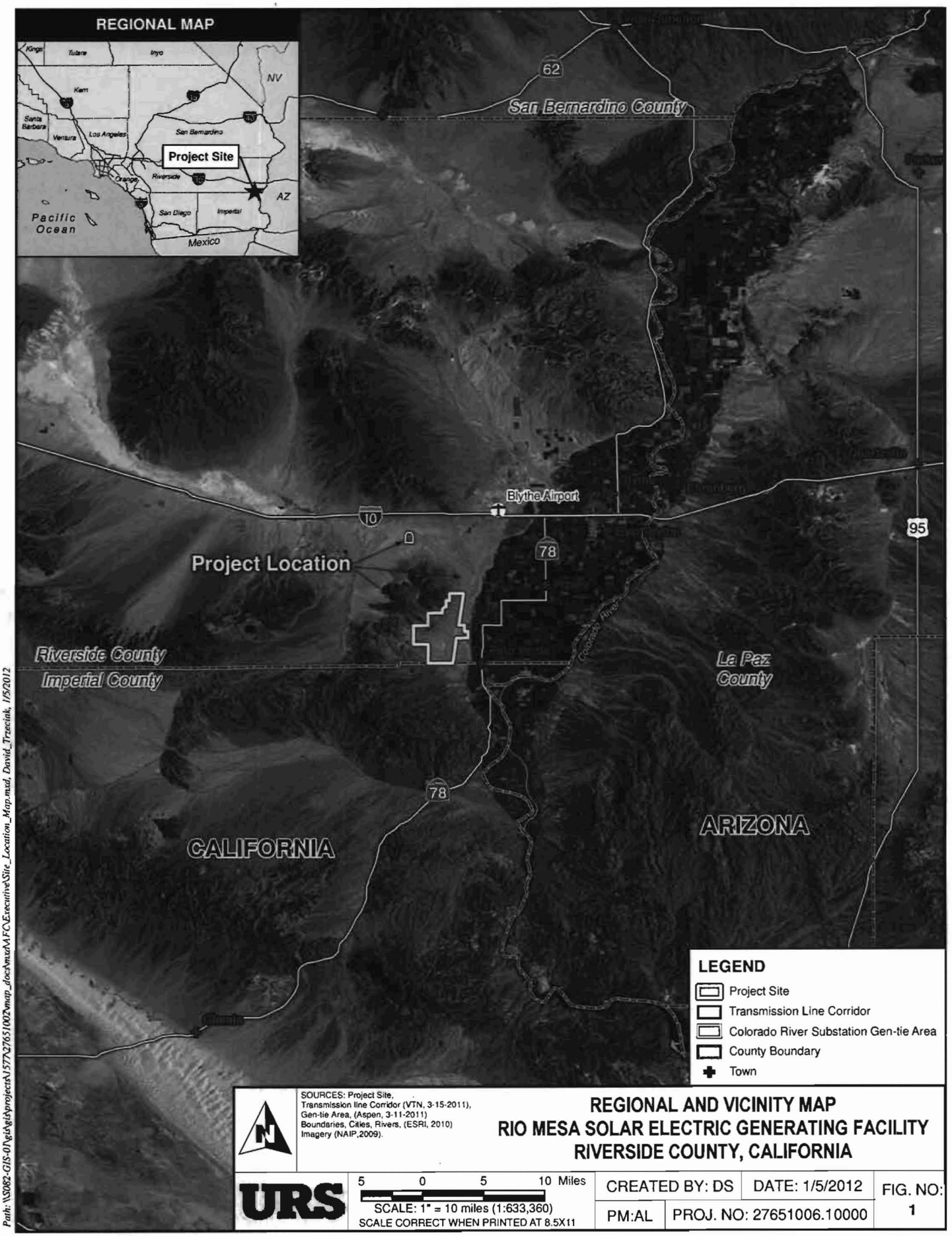

SOURCES: Project Site, Transmission line Corridor (VTN, 3-15-2011), Gen-tie Area, (Aspen, 3-11-2011) Boundaries, Cities, Rivers, (ESRI, 2010) Imagery (NAIP,2009).

REGIONAL AND VICINITY MAP
RIO MESA SOLAR ELECTRIC GENERATING FACILITY
RIVERSIDE COUNTY, CALIFORNIA

URS

5 0 5 10 Miles
SCALE: 1" = 10 miles (1:633,360)
SCALE CORRECT WHEN PRINTED AT 8.5X11

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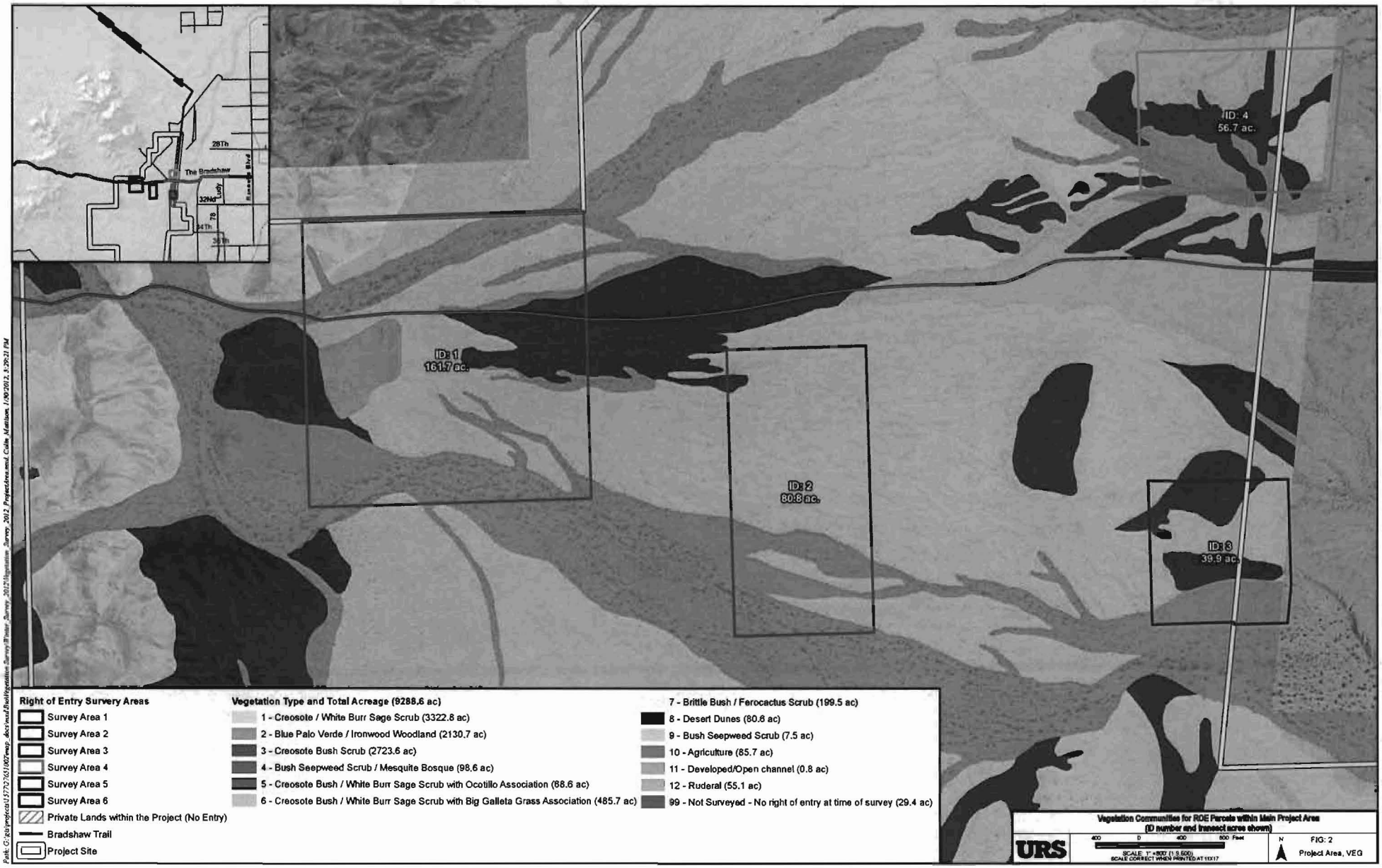
28Th
The Bradshaw
Bradshaw Blvd
32Nd
Lucy
79
84Th
36Th
ID: 1
161.7 ac.
ID: 2
80.8 ac.
ID: 3
39.9 ac.
ID: 4
56.7 ac.
Right of Entry Survery Areas
Survey Area 1
Survey Area 2
Survey Area 3
Survey Area 4
Survey Area 5
Survey Area 6
Private Lands within the Project (No Entry)
Bradshaw Trail
Project Site
Vegetation Type and Total Acreage (9288.6 ac)
1 - Creosote / White Burr Sage Scrub (3322.8 ac)
2 - Blue Palo Verde / Ironwood Woodland (2130.7 ac)
3 - Creosote Bush Scrub (2723.6 ac)
4 - Bush Seepweed Scrub / Mesquite Bosque (98.6 ac)
5 - Creosote Bush / White Burr Sage Scrub with Ocotillo Association (68.6 ac)
6 - Creosote Bush / White Burr Sage Scrub with Big Galleta Grass Association (485.7 ac)
7 - Brittle Bush / Ferocactus Scrub (199.5 ac)
8 - Desert Dunes (80.6 ac)
9 - Bush Seepweed Scrub (7.5 ac)
10 - Agriculture (85.7 ac)
11 - Developed/Open channel (0.8 ac)
12 - Ruderal (55.1 ac)
99 - Not Surveyed - No right of entry at time of survey (29.4 ac)
Vegetation Communities for ROE Parcels within Main Project Area
(ID number and transect acres shown)
URS
400 0 400 800 Feet
SCALE: 1" = 800' (1:9,600)
SCALE CORRECT WHEN PRINTED AT 11X17
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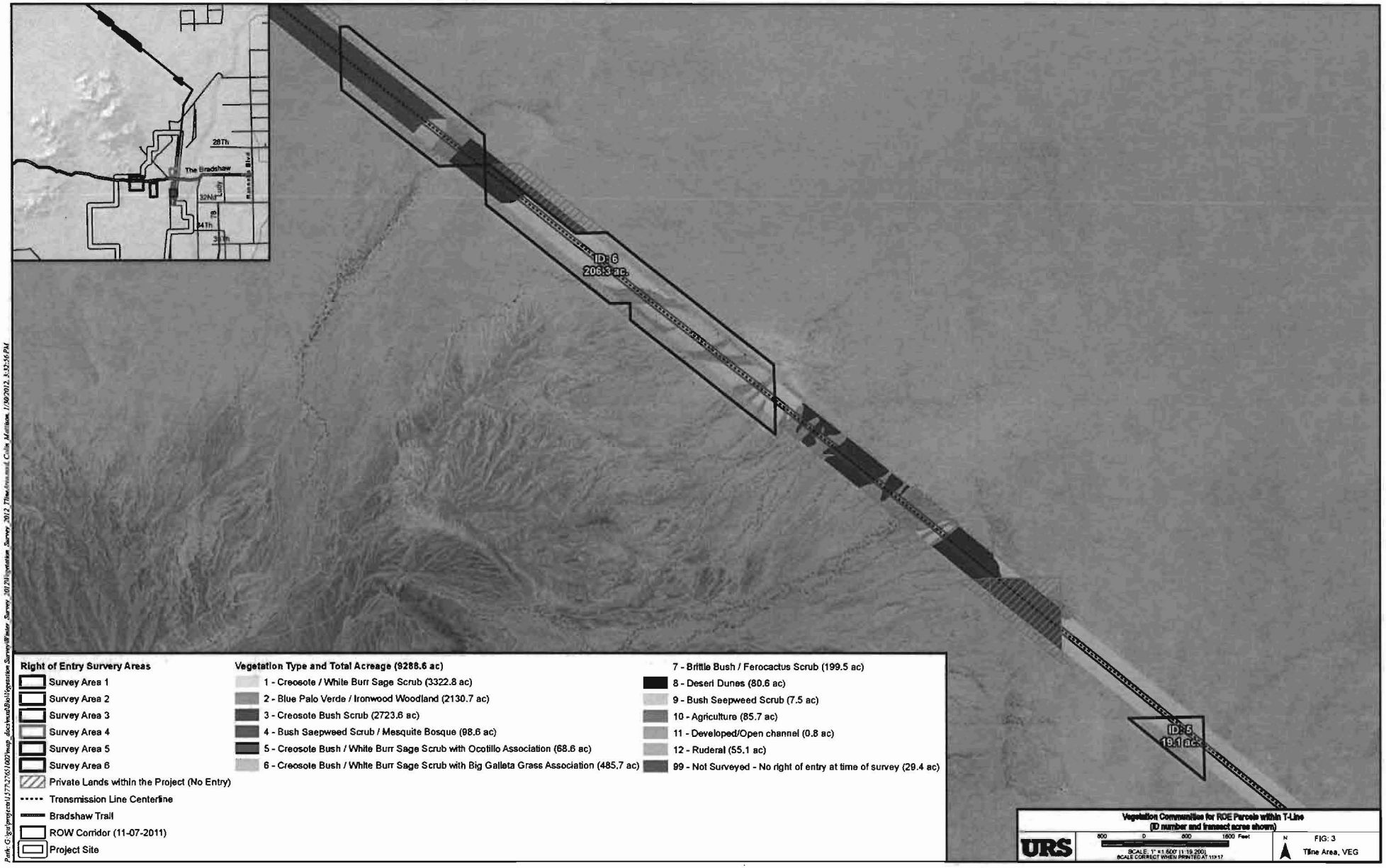
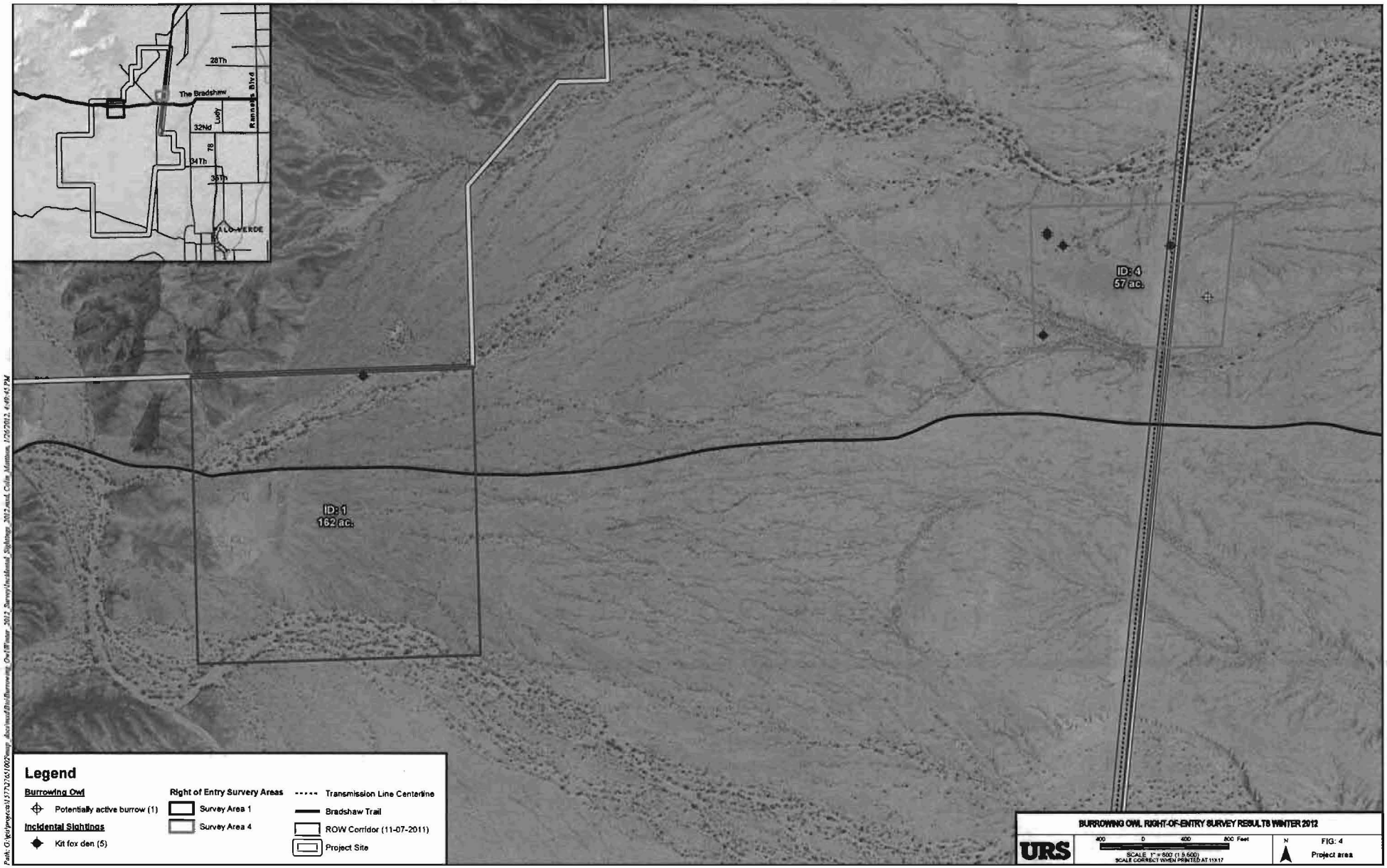
FIG: 2
Project Area, VEG



28Th
The Bradshaw
32Nd
Lady
78
34Th
36Th
Ranson Blvd
ID: 6
206.3 ac.
ID: 5
19.1 ac.
Right of Entry Survery Areas
Survey Area 1
Survey Area 2
Survey Area 3
Survey Area 4
Survey Area 5
Survey Area 6
Private Lands within the Project (No Entry)
Transmission Line Centerline
Bradshaw Trail
ROW Corridor (11-07-2011)
Project Site
Vegetation Type and Total Acreage (9288.6 ac)
1 - Creosote / White Burr Sage Scrub (3322.8 ac)
2 - Blue Palo Verde / Ironwood Woodland (2130.7 ac)
3 - Creosote Bush Scrub (2723.6 ac)
4 - Bush Saepweed Scrub / Mesquite Bosque (98.6 ac)
5 - Creosote Bush / White Burr Sage Scrub with Ocotillo Association (68.6 ac)
6 - Creosote Bush / White Burr Sage Scrub with Big Galleta Grass Association (485.7 ac)
7 - Brittle Bush / Ferocactus Scrub (199.5 ac)
8 - Deseri Dunes (80.6 ac)
9 - Bush Seepweed Scrub (7.5 ac)
10 - Agriculture (85.7 ac)
11 - Developed/Open channel (0.8 ac)
12 - Ruderal (55.1 ac)
99 - Not Surveyed - No right of entry at time of survey (29.4 ac)
Vegetation Communities for ROE Parcels within T-Line
(ID number and transect acres shown)
URS
800 0 800 1600 Feet
SCALE: 1" = 1,600' (1:19,200)
SCALE CORRECT WHEN PRINTED AT 11X17
N
FIG: 3
Tline Area, VEG


28Th
The Bradshaw
Ludy
Rannells Blvd
32Nd
78
34Th
35Th
PALO VERDE
ID: 4
57 ac.
ID: 1
162 ac.
Legend
Burrowing Owl
Potentially active burrow (1)
Incidental Sightings
Kit fox den (5)
Right of Entry Survey Areas
Survey Area 1
Survey Area 4
Transmission Line Centerline
Bradshaw Trail
ROW Corridor (11-07-2011)
Project Site
BURROWING OWL RIGHT-OF-ENTRY SURVEY RESULTS WINTER 2012
URS
400 0 400 800 Feet
SCALE 1" = 800 (1:5,600)
SCALE CORRECT WHEN PRINTED AT 11X17
N
FIG: 4
Project area

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA
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APPLICATION FOR CERTIFICATION
FOR THE *RIO MESA SOLAR*
ELECTRIC GENERATING FACILITY

DOCKET NO. 11-AFC-04
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*indicates change

DECLARATION OF SERVICE

I, Michelle L. Farley, declare that on February 28, 2012, I served and filed copies of the attached Addendum to the Biological Technical Report for the Rio Mesa Solar Electric Generating Facility, Riverside County, California, dated February 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at: **[http://www.energy.ca.gov/sitingcases/riomesa/index.html]**.

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

(Check all that Apply)

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Attn: Docket No. 11-AFC-4
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:

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California Energy Commission
Michael J. Levy, Chief Counsel
1516 Ninth Street MS-14
Sacramento, CA 95814
mlevy@energy.state.ca.us

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

Michelle L. Farley