

**From:** [Ford, John](#)  
**To:** [Elizabeth Burks](#); [Werner, Steve](#); [Sanders, Susan](#); [Koch, Ken](#)  
**Subject:** FW: Wind project  
**Date:** Wednesday, June 05, 2019 5:10:15 PM  
**Attachments:** [image001.png](#)

The only time CDFW has available is 3:00 on Friday June 7. I accepted that time. Included below are the points they are raising in their letter.

Thanks

John



John H. Ford  
Director  
[Planning and Building Department](#)  
707.268.3738

**From:** Babcock, Curt@Wildlife <Curt.Babcock@wildlife.ca.gov>  
**Sent:** Wednesday, June 05, 2019 4:33 PM  
**To:** Ford, John <JFord@co.humboldt.ca.us>  
**Cc:** Olson, Jennifer@Wildlife <Jennifer.Olson@wildlife.ca.gov>; Van Hattem, Michael@Wildlife <Michael.vanHattem@wildlife.ca.gov>; Bartlett, Tina@Wildlife <Tina.Bartlett@wildlife.ca.gov>  
**Subject:** Wind project

John,

Here are our recommendations for the wind project. These should not be a surprise or new, but if you have major concerns, or think you addressed any of these we could talk at 3 or 4 PM on Friday. Let me know if you would like to discuss Friday – that is our only available time.

1. CDFW concludes that all or portions of the Project site fall into Category 4, “Project Sites Inappropriate for Wind Development,” and the DEIR does not contain the level of detail necessary to propose adequate mitigation, monitoring, and adaptive management strategies that would avoid or substantially lessen the Project’s significant impacts to birds and bats.
2. CDFW recommends that collision risk modeling and take estimates for the Project be finalized in consultation with CDFW and the USFWS and included for public review. The Project should utilize two or more years of marbled murrelet survey data, and the collision risk model should incorporate a more conservative avoidance probability.
3. The DEIR should develop a marbled murrelet mitigation plan using a finalized take estimate that has been reviewed and accepted by CDFW and USFWS. The mitigation plan should propose feasible mitigation that fully mitigates for the anticipated take of marbled murrelet.
4. The DEIR should quantify and disclose the extent to which the Project will encroach upon marbled murrelet habitat and propose appropriate mitigation for potentially significant impacts to marbled murrelet habitat or active nests.

S2-1



5. The DEIR should accurately disclose NSO activity centers in and adjacent to the Project site and should include results of protocol-level pre-construction NSO surveys.
6. The DEIR should include mitigation for the total loss of NSO habitat, including habitat lost via timber removal conducted by HRC on behalf of the Project, because its removal is permanent and inconsistent with the HRC HCP activities. The DEIR should include a NSO mitigation plan with performance standards, enforceable terms, and sufficient detail to allow meaningful public review of both the impacts and proposed mitigation.
7. The DEIR should propose habitat retention thresholds for NSO as recommended in USFWS Attachment A, and identify, based on the proposed Project footprint, whether these habitat retention thresholds can be met.
8. The Project proponent and the Lead Agency should describe how Project activities will not conflict with or impede the effectiveness of the HRC HCP Operating Conservation Plan Management Objectives. CDFW requests the opportunity to review this effects analysis prior to recirculation of the DEIR.
9. Turbines should be sited a) outside of the Cape Mendocino Grassland IBA and b) to minimize impacts to the breeding population of horned larks onsite.
10. The DEIR should include specific information about formation of a TAC. The TAC's structure and authority must be clearly defined to establish how TAC recommendations are made, to whom, and whether these recommendations are binding and enforceable by the Lead Agency.
11. The TAC should include multiple third-party subject-matter experts. The TAC, in consultation with wildlife agencies and the Lead Agency, should provide input and concurrence on monitoring, and should evaluate impacts and propose solutions for bird and bat related mortalities. Compensatory mitigation that is roughly proportional and fully enforceable should be proposed to mitigate impacts to birds and bats to less than significant.
12. Operational mitigation for bats during the fall season (September – October at minimum) should be implemented upon commencement of Project operations. This should include raising cut-in speeds to at least 5.5 meters per second, or greater if recommended by the TAC.
13. As described in the DEIR, the Project is highly likely to result in take of numerous raptor species including FP species. If take of FP species is unavoidable, the Project should develop an NCCP to authorize this take. Biological monitoring and "informed curtailment" (rapid shut down turbines when raptors are seen approaching), or other technology to detect raptors and shut down turbines accordingly, may be a feasible mitigation to avoid take of these species at this location.
14. The DEIR should provide information about rodent control and the proposed prey management program described in mitigation measure 3.5-5a, and evaluate any potentially significant impacts that this mitigation may cause, as required by CEQA §15126.4 (a)(1)(D).
15. Scent detection dogs should be used as part of a robust bat and bird fatality monitoring plan.
16. Surveys should be conducted for all potential habitat for rare plants that may be impacted by the Project. If areas exist that the Project cannot obtain access to, then those areas should be removed from the Project.
17. Mitigation measure 3.5-23d for Siskiyou checkerbloom improperly defers mitigation and creation of performance standards to a future plan. The DEIR should include performance standards for this mitigation measure.
18. Mitigation measure 3.5-23e regarding a Reclamation, Revegetation, and Weed Control Plan

S2-1  
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improperly defers creation of performance standards, and lacks specific information on what habitat will be created or restored, how much, and where. This measure is relied upon for eight separate less than significant determinations. Species-specific revegetation and compensatory mitigation standards should be developed for each of these potentially significant impacts.

19. The DEIR should propose mitigation with a ratio sufficient to achieve no-net-loss for impacts to eelgrass.
20. The DEIR should specify that standard pre-construction surveys of eelgrass will be completed within 30 days of the start of the barge transportation portion of the project, and post-construction surveys be completed within 30 days of the last barge.
21. In order to inform potential future phases of the Project, The Lead Agency should include, as a condition of approval for the Project, that all biological monitoring data collected for the life of the Project be made publicly available.
22. The Lead Agency should recirculate the DEIR once all proposed biological survey data are collected and results analyzed, so that this information can serve its intended purpose of identifying potentially significant impacts and informing feasible mitigation measures.
23. The DEIR should incorporate the feasible mitigation measures and Project alternatives recommended by CDFW in this letter to reduce operational impacts to marbled murrelets, raptors, passerine birds, and bats to less than significant.

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Thanks,

*Curt Babcock*

Habitat Conservation Program Manager  
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