

DOCKETED

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Section 14

Bio-13 Raven Management

Monthly point count surveys were conducted in the Project Disturbance Area (area disturbed during construction) during the 2018 year. Surveys were conducted at pre-designated locations within the Genesis Solar facility designated areas in accordance with the Raven Management Plan.

Raven Point Count Observation Summary	
Month	Total Ravens Observed During Point Count Survey
Jan-18	No Cora Observed
Feb-18	No Cora Observed
Mar-18	2 Cora observed at the Administration building
Apr-18	2 Cora observed at the Administration building
May-18	No Cora Observed
Jun-18	No Cora Observed
Jul-18	No Cora Observed
Aug-18	No Cora Observed
Sep-18	4 Cora Observed at power block 2
Oct-18	4 Cora Observed at power block 2 and Unit 1 Solar Field
Nov-18	No Cora Observed
Dec-18	No Cora Observed

In addition to point count surveys, biweekly (every 2 weeks) surveys to identify raven nests and evidence of desert tortoise predation at raven nests were conducted during the typical raven breeding season (mid-February to the end of June). Nest surveys were conducted in accordance with the Raven Management Plan and included an assessment of desert tortoise predation at nest sites.

One raven nest was observed during surveys. While conducting these surveys, biologists observed a total of 12 ravens over four separate occasions. Table 2 provides a summary of the nest surveys. The absence of perching ravens during the observation period indicates that the Genesis Solar facility does not appear to be attractive to ravens and no additional mitigation is required.

Raven Breeding Nest Survey Observation Summary

Month	Total Ravens Observed During Nest Surveys	Observed Behaviors
January 2018	0	There were no nest observed during this month
February 2018	0	There were no nest observed during this month
Mar-18	2	Cora were flying around the Administration Building landing on the top roof area and peering at parking lot. Environmental Specialist investigated the roof, no nest were found.
Apr-18	2	Cora sighted in solar field near the parking lot. No nest observed.
May 2018	0	There were no nest observed during this month
June	0	There were no nest observed during this month
July	0	There were no nest observed during this month
August	0	There were no nest observed during this month.
Sep-18	4	Cora sighted at Unit 2 power block. The beginning of a nest was found and removed. No eggs nor hatchlings were present. The nest had just begun, twigs no fill.

Oct-18	4	2 Cora were sighted at the unit 2 power block and 2 Cora were sighted in the unit 1 solar field. No nest were observed.
November 2018	0	There were no nest observed during this month
December	0	There were no nest observed during this month.

Section 14

Bio-16

Verification:

No later than January 31st of every year the Annual Report shall be provided to the CPM, CDFG, and USFWS. Quarterly reporting shall continue until the CPM, in consultation with CDFG and USFWS determine whether more years of monitoring are needed, and whether mitigation and adaptive management measures are necessary. After two years of data collection the project owner or contractor shall prepare a report that describes the study design and monitoring results of the Avian Protection Plan. The report shall be submitted to the CPM, CDFG and USFWS no later than the third year after onset of Project operation.

Response:

The Genesis staff submitted a report, independent of the 2017 annual submittal to Eric Veerkamp for review. The facility monitoring has continued until documentation is submitted to Nextera Energy releasing Genesis Solar of further avian monitoring. The BBCS monitoring is no longer taking place, in concurrence with the CPM, USFWS, CDFG and BLM.

Section 16

Bio-18

Burrowing Owl Impact Avoidance, Minimization, AND COMPENSATION Measures

Verification:

Genesis Solar LLC had no requirements to relocate or mitigate burrowing owls during the construction phase of the facility and compensation measures were completed. As the construction phase of the project is over, and the site has had no burrowing owl siting's or relocation measures arise, Genesis staff request this condition be closed and no further action necessary for future reporting.

Response:

Per the condition of certification, the REAT was established and a final report submitted to the CEC in year 2014.

Section 17

Bio-19

SPECIAL-STATUS PLANT Impact Avoidance, Minimization and compensation

Verification: The Special-Status Plant Impact Avoidance and Minimization Measures shall be incorporated into the BRMIMP as required under Condition of Certification **BIO-7**.

Raw GPS data, metadata, and CNDDDB field forms shall be submitted to the CPM within two weeks of the completion of each survey. A preliminary summary of results for the late summer/fall botanical surveys shall also be submitted to the CPM and BLM's State Botanist within two weeks following the completion of the surveys. If surveys are split into more than one period, then a summary letter shall be submitted following each survey period. The Final Summer-Fall Botanical Survey Report, GIS shape files and metadata shall be submitted to the BLM State Botanist and the CPM no less than 30 days prior to the start of ground-disturbing activities. The Final Report shall include a detailed accounting of the acreage of Project impacts to special-status plant occurrences. The draft conceptual Special-Status Plant Mitigation Plan shall be submitted to the CPM for review and approval no less than 30 days prior to the start of ground-disturbing activities.

The Project owner shall immediately provide written notification to the CPM, CDFG, USFWS, and BLM if it detects a State- or Federal-Listed Species, or BLM Sensitive Species at any time during its late summer/fall botanical surveys or at any time thereafter through the life of the Project, including conclusion of Project decommissioning.

No less than 30 days prior to the start of ground-disturbing activities the Project owner shall submit grading plans and construction drawings to the CPM which depict the location of Environmentally Sensitive Areas and the Avoidance and Minimization Measures contained in Section A of this Condition.

If compensatory mitigation is required, no less than 30 days prior to the start of ground-disturbing activities, the Project owner shall submit to the CPM the form of Security adequate to acquire compensatory mitigation lands and/or undertake habitat enhancement or restoration activities, as described in this condition.

Actual Security shall be provided 7 days prior to start of ground-disturbing activities. No fewer than 90 days prior to acquisition of compensatory mitigation lands, the Project owner shall submit a formal acquisition proposal and draft Management Plan for the proposed lands to the CPM, with copies to CDFG, USFWS, and BLM, describing the parcels intended for purchase and shall obtain approval from the CPM prior to the acquisition. No fewer than 90 days prior to acquisition of compensatory mitigation lands, the Project owner shall submit to the CPM and obtain CPM approval of any agreements to delegate land acquisition to an approved third party, or to manage compensation lands; such agreement shall be executed and implemented within 18 months of the start of ground disturbance.

No fewer than 30 days after acquisition of the property the Project owner shall deposit the funds required by Section I e above (long term management and maintenance fee) and provide proof of the deposit to the CPM.

The Project owner or an approved third party shall complete the acquisition and all required transfers of the compensation lands, and provide written verification to the CPM of such completion no later than 18 months after the start of Project ground-disturbing activities. If NFWF or another approved third party is being used for the acquisition, the Project owner shall ensure that funds needed to accomplish the acquisition are transferred in timely manner to facilitate the planned acquisition and to ensure the land can be acquired and transferred prior to the 18-month deadline. If habitat enhancement is proposed, no later than six months following the start of ground-disturbing activities, the Project owner shall obtain CPM approval of the final Habitat Enhancement/Restoration Plan, prepared in accordance with Section D, and submit to the CPM or a third party approved by the CPM Security adequate for long-term implementation and monitoring of the Habitat Enhancement/Restoration Plan.

Enhancement/restoration activities shall be initiated no later than 12 months from the start of construction. The implementation phase of the enhancement project shall be completed within five years of initiation. Until completion of the five-year implementation portion of the enhancement action, a report shall be prepared and submitted as part of the Annual Compliance Report. This report shall provide, at a minimum: a summary of activities for the preceding year and a summary of activities for the following year; quantitative measurements of the

Project's progress in meeting the enhancement project success criteria; detailed description of remedial actions taken or proposed; and contact information for the responsible parties. If a Status and Distribution Study is proposed, the study shall commence no later than six months following the start of ground-disturbing activities. The draft study shall be submitted to the CPM and BLM Botanist for review and approval no more than two years following the start of ground-disturbing activities. The final study shall be submitted no more than 30 months following the start of ground disturbing activities.

If a Distribution Study is implemented as contingency mitigation, the study shall be initiated no later than 6 months from the start of construction. The implementation phase of the study shall be completed within two years of the start of construction.

Within 18 months of ground-disturbing activities, the Project owner shall transfer to the CPM or an approved third party the difference between the Security paid and the actual costs of (1) acquiring compensatory mitigation lands, completing initial protection and habitat improvement, and funding the long-term maintenance and management of compensatory mitigation lands; and/or (2) implementing and providing for the long-term protection and monitoring of habitat enhancement or restoration activities. Implementation of the special-status plant impact avoidance and minimization measures shall be reported in the Monthly

Compliance Reports prepared by the Designated Botanist. Within 30 days after completion of Project construction, the Project owner shall provide to the CPM, for review and approval, in consultation with the BLM State Botanist, a written construction termination report identifying how measures have been completed.

The Project owner shall submit a monitoring report every year for the life of the project to monitor effectiveness of protection measures for all avoided special status plants to the CPM and BLM State Botanist. The monitoring report shall include: dates of worker awareness training sessions and attendees, completed

CNDDDB field forms for each avoided occurrence on-site and within 100 feet of the Project boundary off-site, and description of the remedial action, if warranted and planned for the upcoming year. The completed forms shall include an inventory of the special-status plant occurrences and description of the habitat conditions, an indication of population and habitat quality trends.

Response:

The annual report from the plant designated botanists as submitted by Dr. Alice Karl is included below.