<p>| <strong>Docketed</strong> |
|----------------|----------------|
| <strong>Docket Number:</strong> | 08-AFC-03C |
| <strong>Project Title:</strong> | Marsh Landing Generating Station Compliance |
| <strong>TN #:</strong> | 242515-2 |
| <strong>Document Title:</strong> | 2021 CEC Annual Compliance Report Part 2A |
| <strong>Description:</strong> | Annual Compliance Operations Report |
| <strong>Filer:</strong> | David Frandsen |
| <strong>Organization:</strong> | NRG |
| <strong>Submitter Role:</strong> | Applicant |
| <strong>Submission Date:</strong> | 3/31/2022 12:36:45 PM |
| <strong>Docketed Date:</strong> | 4/1/2022 |</p>
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<th>Daily Monitoring Checklist</th>
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Notes:
## Biological Monitoring Log

| Marsh Landing Generating Station: Battery Energy | Date: Apr 7-2021 |
| Monitor: Darle Jansen | Time: 8:30-18:00 |
| Weather: 46-69°F, Wind WSW 20-30mph, Sunny | |
| Photo Numbers: 26200407. Steep pile and spoil pile. - Steep pile gravel/dirt. - Switch gear - house finch nest - 1 | |
| Activity that requires monitor's presence: Switch gear conduct, ground, wire, and compact base rock. | |
| Description of Construction Activities Observed: | |
| Compliance Observations and Issues: | |
| Informed Watson Electric/SE Energy to elevate | |
| Cap electrical conduit off ground. Gradall ladder hydraulic flood of | |
| rocks and endanger (Ex 8397 / 53+050 - 45). Please remove and repair/remove seed | |
| ESA Fencing: N/A | |
| Wildlife Pitfalls/Traps/Pipes: Cap/elevate/inspect conduit resting on ground. | |
| Nesting Birds: House finch pair nesting inside Unit 4 electrical leg CA3, or 38.616034, -122.763047 | |
| Coordination with Construction Personnel: Notified SE Energy of the nesting activity. Conduit capping, and Gradall hydraulic ladder also spoke to Carbon Parker at Watson Electric. | |
| Other Compliance Issues: | N/A |

### Wildlife Species List for Day:

- House finch
- White-tailed kite
- Black phoebe
- Wild turkey
- Mourning dove
- Cliff swallow
- Barn swallow
- California scrub jay
- California gull
- Western meadowlark
- American coot
- Northern mockingbird
- Western tanager
- Rock pigeon
- Anna's hummingbird
- Great egret
- Hudsonian godwit
- Northern flicker
- Northern rough-winged swallow
- Canary flycatcher
- Gray fox
**Daily Monitoring Checklist**

(Check if in compliance)

- [ ] ESA fencing or a physical barrier is separating sensitive resources from active work areas and is in good condition.  
  N/A at this time
- [ ] All trenches left open overnight have an escape ramp or are completely covered
- [ ] No new bird nesting activity observed/known nests buffered appropriately
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**Notes:**

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**AECOM**  
300 Lakeside Drive, Suite 400  
Oakland, CA 94612, USA
### Biological Monitoring Log

| Marsh Landing Generating Station: | Date: Apr-12-2001 |
| Monitor: Derek Japeen | Time: |
| Weather: E: 82°, F: West NW 13mph, Sunny | |
| Photo Numbers: 20010412 - Stockpile, Switchgear, House Finch nest - 1 | |

**Activity that requires monitor’s presence:** Switchgear conduit and rebar install. Biological monitoring and nesting bird survey throughout project and especially Stockpile, work areas and staging.

**Description of Construction Activities Observed:**
ALB/St Energy installing rebar at switchgear footing

**Compliance Observations and Issues:** N/A - conduits elevated off ground.

**ESA Fencing:** N/A

**Wildlife Pitfalls/Traps/Pipes:** N/A

**Nesting Birds:**
- House Finch Nest - 1 inside Unit 1 electrical frame at CA3 or Lat/Lon (38.016034, -121.765564). Adult pair delivered nesting material into cavity.

**Coordinated with Construction Personnel:** Notified NR6/St Energy of Bio report

**Status for the project:**

**Other Compliance Issues:** N/A

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**Wildlife Species List for Day:**

- House Finch, esp. mourning dove, northern rough-winged swallow, white-throated swift, rock pigeon, northern mockingbird, Turdus rufus, common raven, western bluebird, western kingbird, grey fox (track), coyote (track), golden-crowned sparrow, lesser goldfinch, bird, turkey, California scrubjay, mallard, double-crested cormorant, Killdeer, turkey vulture, sea lion (head), red-tailed hawk, Brewer’s blackbird, western fence lizard,
**Daily Monitoring Checklist**  
(Exclude if in compliance)

- [x] ESA fencing or a physical barrier is separating sensitive resources from active work areas and is in good condition.  *N/A at this time.*
- [x] All trenches left open overnight have an escape ramp or are completely covered
- [x] No new bird nesting activity observed/known nests buffered appropriately
  *House Finch nest - 1 (38.016034, -121.765665) in Unit 1 electrical frame.*
- [x] Straw wattles and/or silt fence are in place and in good condition
- [x] Any areas of disturbed soil with slopes off the site are stabilized to reduce erosion potential during and after construction
- [x] Speed limit signs and messages are in place and accurate
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- [x] Deliberate feeding of wildlife is not occurring
- [x] Food-related trash is being disposed of in closed containers and removed weekly
- [x] No firearms are present on site (except security personnel)
- [x] No pets are present on site

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**Notes:**  
Performed biological monitoring survey throughout project.  
Survey performed at soil stockpile, switchgear, battery packs, staging 1, staging 2, and where necessary.

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**AECOM**

300 Lakeside Drive, Suite 400  
Oakland, CA 94612, USA
## Biological Monitoring Log

| Marsh Landing Generating Station: | Battery Energy Storage System | Date: | Apr-19-2021 |
| Monitor: | Derek Hansen | Time: | 0730-1200 hrs |
| Weather: | 54°-81°F, Wind: W, Humph, Sunny | Photo Numbers: | 20210419- Stockpile, - Switchgear, - Osprey nesting, - Quickstick |

### Activity that requires monitor’s presence:
- Switchgear form strip and backfill
- Biological monitoring and nesting survey throughout project, stockpile, work areas, and staging

### Description of Construction Activities Observed:
- NLB/ST Energy stripped forms and backfilled switchgear concrete. ST Energy staged transformers at primary staging

### Compliance Observations and Issues:
- Quick Stick 800 AS [059N89] leaking hydraulic fluid onto ground from engine compartment. Removed hydraulic.
- ESA Fencing: N/A

### Wildlife Pitfalls/Traps/Pipes: N/A

### Nesting Birds:
- House Finch Nest -1 inside Unit 1 electrical frame at CA 3 or Lat/Long (38011034/121765664). No nesting activity today.
- Osprey Nest -1: (38011066/121764669) activity building nest on water tower.

### Coordination with Construction Personnel:
- Status for the project: N/A

### Other Compliance Issues: N/A

### Wildlife Species List for Day:
- House finch, osprey, peregrine falcon, mourning dove,
- ash-throated flycatcher, honey hummerbird, CA scrub jay, cliff swallow,
- common raven, northern mockingbird, wild turkey, red-winged blackbird,
- Eurasian collared dove, grey fox, CA ground squirrel, barn swallow, black-tailed jay, rabbit, white-throated swift, northern rough-winged swallow, western fence lizard, killdeer, rock pigeon
Daily Monitoring Checklist
(Check if in compliance)

☑ ESA fencing or a physical barrier is separating sensitive resources from active work areas and is in good condition.

☑ All trenches left open overnight have an escape ramp or are completely covered.

☑ No new bird nesting activity observed/known nests buffered appropriately.

☑ Straw wattles and/or silt fence are in place and in good condition.

☑ Any areas of disturbed soil with slopes off the site are stabilized to reduce erosion potential during and after construction.

☑ Speed limit signs and messages are in place and accurate.

☑ Equipment storage and parking is limited to the project site and/or designated staging areas.

☑ Deliberate feeding of wildlife is not occurring.

☑ Food-related trash is being disposed of in closed containers and removed weekly.

☑ No firearms are present on site (except security personnel).

☑ No pets are present on site.

Date Apr 19, 2021

Notes:
Biological Monitoring Log

Marsh Landing Generating Station: Battery Energy Storage System  Date: Apr-20-2021
Monitor: Derek Jansen  Time: 0730 - 1200
Weather: 52 - 73°F, Wind WSW @ 21mph, Sunny

Photo Numbers: 20210420, Anna's hummingbird nest - 2, -house finch nest - 2,  -yellow-bellied racer
Activity that requires monitor's presence: Nesting bird survey prior to construction.

Description of Construction Activities Observed: N/A  SE Energy/ALD not present

Compliance Observations and Issues: N/A

ESA Fencing: N/A

Wildlife Pitfalls/Traps/Pipes: N/A

Nesting Birds: Anna's hummingbird nest (active) - 2: 38°11'40.5"N, 121° 76'43.7"W
nest located on Stephens dam tank drain. Adult also feeding a juvenile near switchgear snack area. See Notes...

Coordination with Construction Personnel: Notified NRG of biological report status for the project.

Other Compliance Issues: N/A

Wildlife Species List for Day: Black phoebe, osprey, mourning dove, California gull, cliff swallow, house finch, rock pigeon, common raven, white-throated swift, Eurasian collared-dove, Anna's hummingbird, barn swallow, California Scrub-Jay, red-tailed hawk, wild turkey, western yellow-bellied racer, western fence lizard, turkey vulture, double-crested cormorant, and Swainson's hawk (fly over).
### Daily Monitoring Checklist

(Check if in compliance)

- [x] ESA fencing or a physical barrier is separating sensitive resources from active work areas and is in good condition.
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- [x] Equipment storage and parking is limited to the project site and/or designated staging areas.
- [x] Deliberate feeding of wildlife is not occurring.
- [x] Food-related trash is being disposed of in closed containers and removed weekly.
- [ ] Please dispose of garbage located inside cans.
- [x] No firearms are present on site (except security personnel).
- [x] No pets are present on site.

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**Notes:**

- **House Finch Nest (building) - 2:** Nest inside Unit 3 electrical framing at 38.016217°N, 121.764957°W
- **House Finch Nest (built) - 3:** Nest located below electrical system at 38.016304°N, 121.764879°W

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AECOM

300 Lakeside Drive, Suite 400
Oakland, CA 94612, USA
**Biological Monitoring Log**

| Marsh Landing Generating Station: | Date: 4/21/2021 |
| Monitor: Joe Bagdel | Time: 7:00 - 9:00 AM |
| Weather: Sunny, clear, traps in CA | |
| Photo Numbers: | |

Activity that requires monitor's presence:

*Construction activity was postponed*

Description of Construction Activities Observed:

*None*

Compliance Observations and Issues:

ESA Fencing: *NA*

Wildlife Pitfalls/Traps/Pipes:

Nesting Birds: *Several nests that are being monitored for common bird species that are accustomed to areas of human disturbance.*

Coordination with Construction Personnel:

*Talked with Joe Moore, who confirmed that no work would be occurring today.*

Other Compliance Issues:

Wildlife Species List for Day: *Mourning dove, Anna’s hummingbird, Say’s Phoebe, black phoebe, western scrub-jay, rock dove, cliff swallow, northern mockingbird*
### Daily Monitoring Checklist

(Check if in compliance)

- **☑** ESA fencing or a physical barrier is separating sensitive resources from active work areas and is in good condition.
- **☑** All trenches left open overnight have an escape ramp or are completely covered.
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- **☐** No firearms are present on site (except security personnel).
- **☐** No pets are present on site.

---

**Date:** 4/21/2021

**Notes:** Some staging of materials has occurred, but construction overall has not started.

---

*AECOM*

300 Lakeside Drive, Suite 400
Oakland, CA 94612, USA
## Biological Monitoring Log

| Marsh Landing Generating Station: | MLGS - Battery Storage  | Date: Apr-23-2021 |
| Monitor: | Derek Tanen  | Time: 0930-1130hrs |
| Weather: | 73°/52°F Clear/Sunny, Wind: WSW 8 mph |
| Photo Numbers: | 20210423 - Hummingbird nest/bat scat, 20210423 - House Finch nests - 4 & 5 |
| Activity that requires monitor's presence: | Switchgear drilling for equipment installation |

### Description of Construction Activities Observed:
- Drilling concrete for equipment install
- Crane staging between Unit 2 & 3

### Compliance Observations and Issues:
N/A

### ESA Fencing:
N/A

### Wildlife Pitfalls/Traps/Pipes:
N/A

### Nesting Birds:
- House Finch nest 4 & 5, House Finch (nest) - 4 (38.016770 W, 121.763919 N)
- House Finch (wildly nest) - 5 (38.016770 W, 121.763919 N), Hummingbird (old nest) - 3 (38.016718 W, 121.765316 N)

### Coordination with Construction Personnel:
- Notified David Frandsen (NWG) and
- Michael Corran (3E Energy)

### Other Compliance Issues:
N/A

### Wildlife Species List for Day:
- House Finch, Say's phoebe, Western kingbird, Anna's hummingbird, Peregrine falcon, osprey, turkey vulture, northern mockingbird, rock pigeon, red-tailed hawk, great egret, mourning dove, Eurasian collared dove, California gull, cliff swallow, barn swallow, black phoebe, wild turkey, blue-winged jay, rabbit, Swainson's hawk, gray fox (track), coyote (track), raccoon (track), western fence lizard
Daily Monitoring Checklist

(Left unchecked if not in compliance)

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☑ All trenches left open overnight have an escape ramp or are completely covered.

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☑ Deliberate feeding of wildlife is not occurring.

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☑ No firearms are present on site (except security personnel).

☑ No pets are present on site.

Date: Apr 23, 2021

Notes:
Biological Monitoring Log

Marina Landing Generating Station: NLGS - Battery
Monitor: Derek Janzen
Weather: 85° - 55°F, Wind W@8 mph, Clear/Hazy
Photo Numbers: 20210429 - HOFL with House Finch nest, etc

Activity that requires monitor's presence: Switchgear and pre-construction for earth work activities

Description of Construction Activities Observed: Switchgear installation

Compliance Observations and Issues: N/A

ESA Fencing: N/A

Wildlife Pitfalls/Traps/Pipes: N/A

Nesting Birds: Horse Finch nest - 2 showing signs of activity/building Anna's Hummingbird nest - 2: remains active w/adult in nest

Coordination with Construction Personnel: Coordinated with Michael Cusen on scheduling and future activities

Other Compliance Issues: N/A

Wildlife Species List for Day: common raven, house finch, Anna's hummingbird, mourning dove, barn swallow, rock pigeon, lesser goldfinch, black-tailed jack rabbit, northern mockingbird, eurasian collared-dove, California Scrub Jay, black phoebe, Swainson's hawk, Western Kingbird, Anna's European Starling, gray fox (track)
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Notes:

AECOM
300 Lakeside Drive, Suite 400
Oakland, CA 94612, USA
# Biological Monitoring Log

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<tr>
<td>Monitor: <strong>SAM WOOLNER</strong></td>
<td>Time: 0845-0945</td>
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<tr>
<td>Weather: SUNNY, WINDY, 79F, SLIGHT BREEZE FROM E</td>
<td>Photo Numbers:  <strong>HOFI NEST / SWITCH FARE, TARPED SOIL / ANHU NEST</strong></td>
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| Activity that requires monitor's presence: ONGOING CONSTRUCTION ACTIVITY |
| Description of Construction Activities Observed: N/A, NO CREWS & NO CONSTRUCTION ON SITE |

| Compliance Observations and Issues: NONE |
| ESA Fencing: N/A |
| Wildlife Pitfalls/Traps/Pipes: N/A |
| Nesting Birds: **HOFI, ANHU** |
| Coordination with Construction Personnel: N/A |
| Other Compliance Issues: N/A |

**Wildlife Species List for Day:** CALIFORNIA SCRUB-JAY, HOUSE FINCH, SPOTTED TOWHEE, NORTHERN ROUGH-WINGED SWALLOW, ANNA'S HUMMINGBIRD, BLACK PHOEBE, RED-WINGED BLACKBIRD, WESTERN KING BIRD, MOURNING DOVE, OSPREY

**Confirmed activity in HOFI nest #2 (38.016217, -121.764957):**
UNSURE OF STATUS OF OTHER NEST LOCATIONS, BUT A LOT OF HOFI ACTIVITY & TERRITORIAL BEHAVIOR OBSERVED. UNLIKELY THAT CONSTRUCTION ACTIVITY WOULD AFFECT NESTING ACTIVITY, BUT WORTHWHILE TO CONTINUE TO MONITOR
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Notes:
## Biological Monitoring Log

| Marsh Landing Generating Station: | Date: 5/10/21 |
| Monitor: Joe Bandel | Time: 8am - 9:30am |
| Weather: Sunny, clear, breezy, temp in 70-80s | Photo Numbers: |
| Activity that requires monitor’s presence: | |

**Week activity post panel until SWAPP plan is prepared**

| Description of Construction Activities Observed: | |

None, SWAPP contractors were onsite, but did not proceed with work until a plan is prepared

| Compliance Observations and Issues: | |

ESA Fencing: NA

Wildlife Pitfalls/Traps/Pipes: NA

Nesting Birds: No new nests observed

| Coordination with Construction Personnel: | |

Spoke with Michael (SF Energy) and he confirmed that no construction would happen today, but grinding + placement of gravel for access road to stockpile area, would occur tomorrow (5/11).

| Other Compliance Issues: | |

No compliance issues.

| Wildlife Species List for Day: | |

chift swallow, house finch, western scrub jay, mourning dove, rock pigeon, northern mockingbird, |
## Daily Monitoring Checklist

(Check if in compliance)

- [ ] ESA fencing or a physical barrier is separating sensitive resources from active work areas and is in good condition.
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- [ ] No pets are present on site.

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**Notes:** No work occurring yet and no compliance issues identified.
Biological Monitoring Log

Marsh Landing Generating Station: Butterly
Monitor: Derek Jusson
Date: May 12, 2021
Weather: 64 - 86°F, WC 20mph, clear, Sun
Time: 1445 - 1645

Photo Numbers:
20210512 - construction entrance, - house finch nest 1
20210512 - water line tie-in
Activity that requires monitor's presence: ALB construction entrance and BMP installation

Description of Construction Activities Observed:
- Partially installed construction entrance at stockpile (i.e., geotech fabric, 6 x 10" rock, grade down one foot, water for dust settle)
- Staged equipment for water tank and construction entrance at Bally Park Storage

Compliance Observations and Issues: N/A

ESA Fencing: N/A
Wildlife Pitfalls/Traps/Pipes: N/A
Nesting Birds: 20210512 - Anna's hummingbird - 2 (active), 20210512 - House Finches building on electrical framing at two locations (38.01186°N, 121.76439°W) and (38.011144°N, 121.76442°W)
Coordination with Construction Personnel: Informed ALB and NRG

Other Compliance Issues: N/A

Wildlife Species List for Day: House finch, Anna's hummingbird, northern mockingbird, and common raven.
Daily Monitoring Checklist

Date May 12, 2021

☑ ESA fencing or a physical barrier is separating sensitive resources from active work areas and is in good condition

☑ All trenches left open overnight have an escape ramp or are completely covered

☑ No new bird nesting activity observed known nests buffered appropriately

☑ Straw wattles and or silt fence are in place and in good condition

☑ Any areas of disturbed soil with slopes off the site are stabilized to reduce erosion potential during and after construction

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☑ Food-related trash is being disposed of in closed containers and removed weekly

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Notes:
## Biological Monitoring Log

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<tr>
<td>Monitor: Alan Chan - Alvarado</td>
<td>Time: 8:30 - 12:30</td>
</tr>
<tr>
<td>Weather: 35°F, clear, sunny, slight wind</td>
<td></td>
</tr>
<tr>
<td>Photo Numbers: 20110513 -{battery entrance}</td>
<td></td>
</tr>
</tbody>
</table>

**Activity that requires monitor’s presence:**
- Asbestos pipe water line tie in - battery construction entrance
- Soil stabilization construction entrance

**Description of Construction Activities Observed:**
- Digging/cutting asbestos pipe + installing new pipe/wall
- Digging two entrances, laying down tarp, filling w/ boulders

**Compliance Observations and Issues:**

**ESA Fencing:** N/A

**Wildlife Pitfalls/Traps/Pipes:** N/A

**Nesting Birds:** Northern Mockingbird, active wet coveled in storage yard away from construction work. NSC notified and they set up buffer

**Coordination with Construction Personnel:** Notified SE Energy, NSC, and ALB on construction-related activities

**Other Compliance Issues:** N/A

**Wildlife Species List for Day:**
- Northern mockingbird, Swainson’s hawk, Anna’s hummingbird, barn swallow, European collared dove, raven, turkey vulture, rock pigeon, northern mockingbird, northern rough-winged swallow, cliff swallow, common raven, red-tailed hawk
# Biological Monitoring Log

| Marsh Landing Generating Station: | Date: 5/4/21 |
| Monitor: Alex Chan-Alvarado | Time: 9:00 - 15:30 |
| Weather: 63°F sunny - light wind | |
| Photo Numbers: | 20210514_battery entrance construction - 1  
20210514_soil stockpile area  |

## Activity that requires monitor’s presence:
- battery entrance, straw wiring, install basement

## Description of Construction Activities Observed:
- digging entrance at battery yard, laying tarp, filling with sand;
- digging trench for straw mats at soil stockpile yard, adding new stockpile soil to previously covered one.

## Compliance Observations and Issues:

### ESA Fencing:
N/A

### Wildlife Pitfalls/Traps/Pipes:
N/A

### Nesting Birds:
No new nests

### Coordination with Construction Personnel:
Noted ASC to cover first stockpile if not using within 14 days or chance of precipitation. They will use next week so no need to cover.

### Other Compliance Issues:
N/A

## Wildlife Species List for Day:
California scrub jay, osprey, house finch, Eurasian collared dove, barn swallow, American crow, Northern mockingbird
Biological Monitoring Log

| Marsh Landing Generating Station: | Date: May 17 2021 |
| Monitor: | Sarah Flaherty |
| Weather: | sunny - 50 - 0 of |

**Photo Numbers:** saved to server 6/17/2021

**Activity that requires monitor’s presence:**
- unloading spoils at hill
- grubbing hillside of spoils pile

**Description of Construction Activities Observed:**
- grading in battery pad area
- hauling + staging spoils at hill
- grubbing hillside of spoils pile

**Compliance Observations and Issues:**

**ESA Fencing:** N/A

**Wildlife Pitfalls/Traps/Pipes:** N/A

**Nesting Birds:**
- Northern mockingbird nest (in buffer zone) still active
- observed feeding + removal of fecal sac by adult

**Coordination with Construction Personnel:**
- kept in communication with Israel (ALB foreman)

**Other Compliance Issues:**
- The access route to spoils hill became dusty so I recommended the water truck be used if possible, Israel deployed water truck to mitigate dust.

**Wildlife Species List for Day:**

- **HOF1**: BASW
- **MOD9**: CAST (nest in eucalyptus just offsite, western boundary)
- **ROPI**: EUCD
- **CLSW**: SPTO coyote (tracks)
- **EUST**: TRSW eastern fox squirrel
- **NOMO**: RTHA black-tailed jackrabbit
- **CAGU**: 

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AECOM

300 Lakeside Drive, Suite 400
Oakland, CA 94612, USA
Daily Monitoring Checklist
(Compliance)

☐ ESA fencing or a physical barrier is separating sensitive resources from active work areas and is in good condition.

☐ All trenches left open overnight have an escape ramp or are completely covered.

☐ No new bird nesting activity observed/known nests buffered appropriately.

☐ Straw wattles and/or silt fence are in place and in good condition.

☐ Any areas of disturbed soil with slopes off the site are stabilized to reduce erosion potential during and after construction.

☐ Speed limit signs and messages are in place and accurate.

☐ Equipment storage and parking is limited to the project site and/or designated staging areas.

☐ Deliberate feeding of wildlife is not occurring.

☐ Food-related trash is being disposed of in closed containers and removed weekly.

☐ No firearms are present on site (except security personnel).

☐ No pets are present on site.

Date: May 17, 2021

Notes:

AECOM
300 Lakeside Drive, Suite 400
Oakland, CA 94612, USA