

DOCKETED

Docket Number:	08-AFC-03C
Project Title:	Marsh Landing Generating Station Compliance
TN #:	242515-3
Document Title:	2021 CEC Annual Compliance Report Part 2B
Description:	Annual Compliance Operations Report
Filer:	David Frandsen
Organization:	NRG
Submitter Role:	Applicant
Submission Date:	3/31/2022 12:36:45 PM
Docketed Date:	4/1/2022

Biological Monitoring Log

Marsh Landing Generating Station:	Date: 5/18/21
Monitor: Joe Bandel	Time: 7:15 - 13:15
Weather: Sunny, slight breeze	
Photo Numbers:	
Activity that requires monitor's presence: Clearing and grubbing of vegetation. Grading and excavation	
Description of Construction Activities Observed: - Clearing vegetation and grubbing stockpile area - Excavation work at battery pad. - Grading work at stockpile area to make room for trucks	
Compliance Observations and Issues:	
ESA Fencing: NA	
Wildlife Pitfalls/Traps/Pipes: All excavations have a ramp on no less than a foot deep. No traps are present.	
Nesting Birds: A mockingbird nest in the stockpiled material on the east side near site entrance/exit	
Coordination with Construction Personnel: Left the site after discussing work activities and ensuring no new areas would be impacted	
Other Compliance Issues:	
Wildlife Species List for Day: house finch, rock dove, black phoebe, osprey gopher snake, northern mockingbird, cliff swallow	

AECOM300 Lakeside Drive, Suite 400
Oakland, CA 94612, USA

Daily Monitoring Checklist

(Check if in compliance)

Date 5/19/21

- 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

Notes: A gopher snake was found at the edge of the work area, likely stirred by nearby ground disturbance. The gopher snake appeared uninjured by construction activity. I was able to relocate the snake to the other side of chain link fence. The snake moved on, on its own.

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Biological Monitoring Log

Marsh Landing Generating Station:	Date: 5/19/21
Monitor: Joe Banglely	Time: 7:15am - 12:30
Weather: Sunny, slight breeze; temp in 60's to 70's	
Photo Numbers:	
Activity that requires monitor's presence: Excavation + grading work in battery area	
Description of Construction Activities Observed: Excavation + grading work in battery area	
Compliance Observations and Issues:	
ESA Fencing: NA	
Wildlife Pitfalls/Traps/Pipes: All excavations are sloped for wildlife entry/exit	
Nesting Birds: Mockingbird noticed visiting nest in metal rusted material near the site entrance; buffer area established with caution tape	
Coordination with Construction Personnel: Confirmed that no new disturbances	
Other Compliance Issues:	
Wildlife Species List for Day: cliff swallow, northern mockingbird, house finch, western scrub jay, rock dove, osprey, eurasian collared dove,	

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Daily Monitoring Checklist

Date 5/19/2021

(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

Notes:

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Biological Monitoring Log

Marsh Landing Generating Station:	Date: 5/20/21
Monitor: Joe Bandel ^{50'}	Time: 6:00
Weather: Sunny, clear, 60's + 70's	7:15 - 13:00
Photo Numbers:	
Activity that requires monitor's presence: Excavation + grading at battery pad area	
Description of Construction Activities Observed: Grading + excavation at battery pad area. Locating utilities in the area.	
Compliance Observations and Issues:	
ESA Fencing: NA	
Wildlife Pitfalls/Traps/Pipes: All excavation is sloped to allow wildlife to get out.	
Nesting Birds: - mockingbird nest near rusted materials near entrance to site is active. Western scrub jay nest in Eucalyptus tree along western fence line	
Coordination with Construction Personnel: Confirmed that foreman would not use the construction material near the mockingbird nest. Also no	
Other Compliance Issues: new disturbances would occur this week.	
Wildlife Species List for Day: rock dove, eurasian collared dove, house finch, osprey, western scrub jay, cliff swallow, turkey vulture, northern mockingbird,	

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Daily Monitoring Checklist

(Check if in compliance)

Date 5/20/21

- 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
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Notes:

Active nests
- mockingbird nest at front entrance to site; adult birds are feeding chicks
- western scrubjay nest in Eucalyptus tree on west side near the stockpile area.

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Inactive: house finch nests observed earlier

Biological Monitoring Log

Marsh Landing Generating Station:	Date: May 21 2021
Monitor: Sarah Flaherty	Time: 0645-10:45
Weather: 58-70°F Sunny	
Photo Numbers: labeled by date in folder	
Activity that requires monitor's presence: clearing heavy equipment • Nesting Bird surveys	
Description of Construction Activities Observed: grading in the battery pod area	
Compliance Observations and Issues:	
ESA Fencing: N/A	
Wildlife Pitfalls/Traps/Pipes: N/A	
Nesting Birds: new nest located: Eurasian Collared-Dove on walkway at apex of Unit 1 stack. Not in work area. 38.017135, -121.765442	
Coordination with Construction Personnel: ALB - tailgate w/ Manuel, introduced to foreman Neal, talked to Superintendent Chris	
Other Compliance Issues:	
Wildlife Species List for Day:	
OSPrey	California Scrub Jay (chicks still in nest)
Killdeer	Northern Mockingbird - chicks still in nest
Rock pigeon	Anna's hummingbird in nest
Eurasian collared-dove (active nest building)	Turkey Vulture
Mourning Dove	

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Daily Monitoring Checklist
(Check if in compliance)

Date March 21, 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
↳ New Eurasian Collared Dove nest obs - outside work area
- 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
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Notes:

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Biological Monitoring Log

Marsh Landing Generating Station: <i>Battery Pack</i>	Date: <i>May-24-2021</i>
Monitor: <i>Derek Jansen</i>	Time: <i>0630-1730</i>
Weather: <i>59-84°F W@ 10mph, Partly Cloudy, Sun</i>	
Photo Numbers: <i>20210524 - top rock, -</i>	
Activity that requires monitor's presence: <i>ALB operating equipment collecting top/decorative rock from switch gear to battery pack, excavate between top rock and battery pack.</i>	
Description of Construction Activities Observed:	
<ul style="list-style-type: none"> • Ex. top rock/ stage at 2nd staging • Watering excavation at Battery pack. • waiting on further battery pack ex. 	
Compliance Observations and Issues: <i>N/A</i>	
ESA Fencing: <i>N/A</i>	
Wildlife Pitfalls/Traps/Pipes: <i>N/A</i>	
Nesting Birds: <i>No nests within work area or overlapping buffers.</i>	
Coordination with Construction Personnel: <i>Communicated w/ ALB foreman Neil Decker [707.484.4482]</i>	
Other Compliance Issues: <i>N/A</i>	
Wildlife Species List for Day:	
<i>Peregrine falcon, osprey, European starling, house finch, barn swallow, cliff swallow, northern mockingbird, red-tailed hawk, California scrubjay, Eurasian collared-dove, rock pigeon, mourning dove, lesser goldfinch, black phoebe swainson's hawk</i>	

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Daily Monitoring Checklist

Date May 24 - 2021

(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
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- No pets are present on site

Notes:



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Biological Monitoring Log

Marsh Landing Generating Station: <i>Battery Pack</i>	Date: <i>May-25-2021</i>
Monitor: <i>Derek Jansen</i>	Time: <i>0630-1200hrs</i>

Weather: *55-81°F, WSW @ 15 mph, Partly Cloudy to Sun*

Photo Numbers: *20210525- Switchgear to Battery excavation*

Activity that requires monitor's presence: *ALB operating equipment, excavating 3'x3' trench from Switchgear to Battery Pack*

Description of Construction Activities Observed:

- *Excavate 3'x3' trench Switchgear to Battery Pack*
- *Dust control / Wet broom mechanical sweeping.*
- *Watering large Battery Footing excavation for compaction.*

Compliance Observations and Issues: *N/A*

ESA Fencing: *N/A*

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

Nesting Birds: *No nests within work area or overlapping buffers.*

Coordination with Construction Personnel: *Communicated with ALB foreman Neil Decker and SE Energy Michael Corran*

Other Compliance Issues: *N/A*

Wildlife Species List for Day:

Osprey, European starling, Swainson's hawk, house finch, barn swallow, cliff swallow, northern rough-winged swallow, northern mockingbird, red-tailed hawk, California scrub-jay, Eurasian collared-dove, rock pigeon, mourning dove, lesser gold finch, black phoebe, turkey vulture.



Daily Monitoring Checklist

(Check if in compliance)

Date May-25-2021

- 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
- 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
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- No pets are present on site

Notes:

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Biological Monitoring Log

Marsh Landing Generating Station:	Date: 0640-0845
Monitor: Sarah Flaherty	Time: May 26 2021
Weather: clear 60°	
<p>Photo Numbers: in folder w/ date on screen</p> <p>Activity that requires monitor's presence: Trenching between switchgear and battery pad</p> <p>Description of Construction Activities Observed: trenching, watering exposed soils, adding straw wattles to stockpile area</p> <p>Compliance Observations and Issues:</p> <p>ESA Fencing: N/A</p> <p>Wildlife Pitfalls/Traps/Pipes: - using a board in the trench to provide egress. Confirmed w/ Neal + Manuel that the board will be placed again in trench at the end of the workday.</p> <p>Nesting Birds: NOMA nest (outside buffers) may have fledged, EAST ducks still around (also out of work areas)</p> <p>Coordination with Construction Personnel: attended twigate, received daily work plan from Manuel, spoke to Neal (foreman) about planned work for today and tomorrow</p> <p>Other Compliance Issues:</p>	
<p>Wildlife Species List for Day:</p> <p>NOMO OSPR ROPI CSJA HOFI CORA BASW ANHU</p>	

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Daily Monitoring Checklist
(Check if in compliance)

Date May 26 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
- 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

Notes:

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Biological Monitoring Log

Marsh Landing Generating Station:	Date: 5/27/21
Monitor: Joe Bandel	Time: 7:15 am - 10:00 am
Weather: Sunny, clear, temps in low 60s to 70s	
Photo Numbers:	
Activity that requires monitor's presence: Construction work in battery pad area + between stack units 3 + 4	
Description of Construction Activities Observed: - Excavation + grading work in battery pad area - Grading in stockpile area - Streetsweeping + watering	
Compliance Observations and Issues:	
ESA Fencing: NA	
Wildlife Pitfalls/Traps/Pipes: Excavations were ramped or had ramps placed in them to allow wildlife to escape.	
Nesting Birds: No new nests found. The mockingbird nest near entrance may have had the chicks fledge already as there were no noises or adult birds nearby.	
Coordination with Construction Personnel: Confirmed with the foreman that no new areas would be disturbed.	
Other Compliance Issues:	
Wildlife Species List for Day: cliff swallow, house finch, western scrubjay, eurasian collared dove, black-tailed jackrabbit, western fence lizard, osprey, northern mockingbird	

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Daily Monitoring Checklist
(Check if in compliance)

Date 5/27/21

- 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

Notes:

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Biological Monitoring Log

Marsh Landing Generating Station:	Date: May 28 2021
Monitor: Sarah Flaherty	Time: 0640-0815
Weather: Sunny 60°F	
Photo Numbers: in folder labeled by date	
Activity that requires monitor's presence: Clearance surveys of work areas	
Description of Construction Activities Observed: trenching	
Compliance Observations and Issues:	
ESA Fencing: N/A	
Wildlife Pitfalls/Traps/Pipes: in place	
Nesting Birds: Nomo nest fledged; caution tape/buffer can be removed	
Coordination with Construction Personnel: Spoke with manuel (foreman) about plan for day / next week	
Other Compliance Issues: none	
Wildlife Species List for Day:	
HOFI	BASW
CORA	CLSW
ROPI	black tailed jackrabbit } tracks
CASJ	coyote
ANHU	
NOMO	



Daily Monitoring Checklist

Date May 28 2021

(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

Notes:

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Biological Monitoring Log

Marsh Landing Generating Station:	Date: 6/01/21
Monitor: Allan Chan-Alvarado	Time: 0700 - 1530
Weather: warm, clear, sunny 79°F	
Photo Numbers: 20210614 → 20210614 - water truck - battery yard 20210614 → 20210614 - stockpile - moving - hill	
Activity that requires monitor's presence: • Movement/creation of soil stockpiles • watering/compaction of soil	
Description of Construction Activities Observed: Soil stockpiles are being created and moved at the west mill. This is followed by water truck spraying. Water truck spraying and soil compaction via heavy vehicle driving at the battery yard.	
Compliance Observations and Issues:	
ESA Fencing: N/A	
Wildlife Pitfalls/Traps/Pipes: N/A	
Nesting Birds: • mockingbird bird nest is finished - chicks have fledged • No new nests	
Coordination with Construction Personnel: • spoke with ALB foreman during morning tailgate meeting about today's activities	
Other Compliance Issues: None	
Wildlife Species List for Day: California scrub jay, barn swallows, turkey vulture	

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Daily Monitoring Checklist

Date 6 / 01 / 22

(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

Notes:



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Biological Monitoring Log

Marsh Landing Generating Station:	Date: 6/2/21
Monitor: Joe Bandel	Time: 7:15 - 9:30
Weather: Sunny, clear, temps in 50's, 60's	
Photo Numbers:	
Activity that requires monitor's presence: Construction of battery pad.	
Description of Construction Activities Observed: <ul style="list-style-type: none"> - Using excavator to move soil material at stockpile area - Watering the work site - Laying pipes in excavation near Unit 3 + covering pipe 	
Compliance Observations and Issues:	
ESA Fencing: NA	
Wildlife Pitfalls/Traps/Pipes: All excavated areas have ramps, trenches have ramps.	
Nesting Birds: No new nests. Mockingbird nest appears to have fledged already, western scrubjay nest also appears to have may be active and looks unaffected.	
Coordination with Construction Personnel: Workers are still waiting for plans to move forward	
Other Compliance Issues:	
Wildlife Species List for Day: cliff swallow, eurasian collared dove, house finch, western scrubjay, turkey vulture	

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Daily Monitoring Checklist

Date 6/2/21

(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
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- Food-related trash is being disposed of in closed containers and removed weekly
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- No pets are present on site

Notes:



300 Lakeside Drive, Suite 400
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Biological Monitoring Log

Marsh Landing Generating Station	Date: 6/3/2021
Monitor: Katie Mulezn	Time: 8:40am
Weather: Sunny, clear, 75°F	
Photo Numbers: In folder labeled by date	
Activity that requires monitor's presence: equipment & work area clearance construction paused at site today.	
Description of construction activities observed: None - construction paused	
<u>Compliance Observations and Issues</u>	
ESA Fencing: n/a	
Wildlife Pitfalls/Traps/Pipes: n/a	
Nesting Birds: Observed likely NOMO nest @ 38.0149948, -121.7664642 Adults repeatedly returning to coyote bush, tending to something tucked into bush. Heard juvenile begging.	
Coordination with Construction Personnel: Construction paused, checked in w/ David Frandsen @ end of survey.	
Other Compliance Issues: n/a	

Wildlife Species List/Notes:

western fence lizard

ROPI

GREB

CLSW - nesting in windows of brick building

HOFI

OSPR

NOMO - possible nest

CAST

RTHA

AMCR

EUST

TURN

BASW

EUCD

AMKE

ANIM

LEGO

Daily Monitoring Checklist

Date 6/3/21

(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 *→ see notes*
- 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

Notes:

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Oakland, CA 94612

Biological Monitoring Log

Marsh Landing Generating Station: <i>Battery Park</i>	Date: <i>Jun - 4 - 2021</i>
Monitor: <i>Derek Jansen</i>	Time: <i>0630-0830</i>
Weather: <i>55-90°F, WSW @ 16mph</i>	
Photo Numbers: <i>20210604-</i>	
Activity that requires monitor's presence: <i>Site visit for monitoring inspection. CEC Stop Work due to cultural.</i>	
Description of Construction Activities Observed: <i>N/A</i>	
Compliance Observations and Issues: <i>• Elevate conduit or cap. For staged materials</i>	
ESA Fencing: <i>N/A</i>	
Wildlife Pitfalls/Traps/Pipes: <i>Asbestos pipe openings covered and sealed with sandbags.</i>	
Nesting Birds: <i>N/A - no nesting birds observed within work area.</i>	
Coordination with Construction Personnel: <i>Informed SE Energy Michael Corran</i>	
Other Compliance Issues: <i>N/A</i>	
Wildlife Species List for Day: <i>Osprey, house finch, northern mockingbird, red-tailed hawk, rock pigeon, barn swallow, coyote, raccoon, gray fox, black-tailed jackrabbit, California scrub-jay, mourning dove, northern rough-winged swallow, turkey vulture, striped skunk, European starling.</i>	

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