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

<table>
<thead>
<tr>
<th>Marsh Landing Generating Station:</th>
<th>Date: 5/18/21</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monitor: Joe Bangel</td>
<td>Time: 7:15 – 13:15</td>
</tr>
<tr>
<td>Weather: Sunny, slight breeze</td>
<td>Photo Numbers:</td>
</tr>
<tr>
<td><strong>Activity that requires monitor’s presence:</strong></td>
<td><strong>Description of Construction Activities Observed:</strong></td>
</tr>
<tr>
<td>Cleaning and grubbing of vegetation. Grading and excavation</td>
<td>- Cleaning vegetation and grubbing in stockpile area</td>
</tr>
<tr>
<td></td>
<td>- Excavation work at battery pad</td>
</tr>
<tr>
<td></td>
<td>- Grading work at stockpile area to make room for trucks</td>
</tr>
<tr>
<td><strong>Compliance Observations and Issues:</strong></td>
<td></td>
</tr>
<tr>
<td>ESA Fencing: NA</td>
<td></td>
</tr>
<tr>
<td>Wildlife Pitfalls/Traps/Pipes: All excavations have a ramp on one less than a foot deep. No traps are present.</td>
<td></td>
</tr>
<tr>
<td>Nesting Birds: A mockingbird nest in the stockpiled material on the east side near site entrance/exit</td>
<td></td>
</tr>
<tr>
<td>Coordination with Construction Personnel: Left the site after discussing work activities and ensuring no new areas would be impacted</td>
<td></td>
</tr>
<tr>
<td><strong>Other Compliance Issues:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Wildlife Species List for Day:</strong></td>
<td>house finch, rock dove, black phoebe, osprey</td>
</tr>
<tr>
<td></td>
<td>gopher snake, northern mockingbird, cliff swallow</td>
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### 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:** 3/19/21

---

**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.
# Biological Monitoring Log

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<th>Date: 5/14/21</th>
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</thead>
<tbody>
<tr>
<td>Monitor: Joe Daniels</td>
<td>Time: 7:30am - 12:30</td>
</tr>
<tr>
<td>Weather: Sunny, slight breeze; temp in 60s to 70s</td>
<td></td>
</tr>
</tbody>
</table>

**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 nesting nest in metal rusted material near 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, aspjoy, eurasian collared dove

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AECOM
300 Lakeside Drive, Suite 400
Oakland, CA 94612, USA
<table>
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<td>☑ No pets are present on site</td>
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Notes:
### Biological Monitoring Log

| Marsh Landing Generating Station: | Date: 5/20/21 |
| Monitor: Joe Bandel | Time: 7:16 – 12:00 |
| Weather: Sunny, close, 60% + 70% |

#### 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:**
- N/A

**Wildlife Pitfalls/Traps/Pipes:**
- All excavation is sloped to allow wildlife to get out.

**Nesting Birds:**
- Mockingbird nest near roosting materials near entrance to site is active. Western scrub-jay nest in Eucalyptus tree along western timeline.

**Coordination with Construction Personnel:**
- Confirmed that foreman would not use the construction materials near the nesting bird nest. Also no new disturbances would occur this week.

**Other Compliance Issues:**

**Wildlife Species List for Day:**
- Rock dove, Eurasian collared dove, house finch, osprey, western scrub-jay, cliff swallow, turkey vulture, northern mockingbird.
Daily Monitoring Checklist

(Check if in compliance)

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☐ No pets are present on site.

Date 5/20/21

Notes:

Active nests
- Mockingbird nest at front entrance to site; adult birds are feeding chicks
- Western scrub-jay nest in Eucalyptus tree on west side near the stockpile area.

Inactive: house finch nests observed earlier.
# Biological Monitoring Log

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<td>Monitor: Jay Flacherty</td>
<td>Time: 06:45 - 10:45</td>
</tr>
<tr>
<td>Weather: 80°F Sunny</td>
<td></td>
</tr>
</tbody>
</table>

**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 batting pod area

**Compliance Observations and Issues:**

**ESA Fencing:** N/A

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

**Nesting Birds:**
- new nest located: European Collared-Dove on walkway at apex of Unit 2 stock, not in work area. 38.617135, -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
- Killdeer
- Rock pigeon
- European collared-dove (active nest building)
- Mourning Dove

- California Scrub Jay (chicks still in nest)
- Northern Mockingbird - chicks still in nest
- Anna’s Hummingbird - in nest
- Turkey Vulture

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AECOM
300 Lakeside Drive, Suite 400
Oakland, CA 94612, USA
## Daily Monitoring Checklist

(Check if in compliance)

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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: | Battery Ponds | Date: May 24, 2021 |
| Monitor:                        | Darrell Jansen | Time: 0630 - 1430 |
| Weather:                        | 59-84°F, W 20mph, Partly Cloudy, Sun |
| Photo Numbers:                  | 001024 - Top rock, - |

Activity that requires monitor's presence: ALB operating equipment, collecting top/decorative rock from switch gear to battery pond, excavate between top rock and battery pond.

Description of Construction Activities Observed:
- Ex. top rock/Stage at 2nd stage
- Watering excavation at battery pond.
- Waiting on further battery pond set.

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 buffer.

Coordination with Construction Personnel: Neil Decker 707.484.7482 Communicated w/ ALB Foreman

Other Compliance Issues: N/A

Wildlife Species List for Day:
- Peregrine Falcon, osprey, European starling, harrier finch, barn swallow, cliff swallow, northern mockingbird, red-tailed hawk, California quail, tufted coot, dove, rock pigeon, mourning dove, lesser yellow finch, black phoebe, Eurasian skua

AECOM
300 Lakeside Drive, Suite 400
Oakland, CA 94612, USA
**Daily Monitoring Checklist**  
(Check if in compliance)

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- [✓] No pets are present on site

**Notes:**
# Biological Monitoring Log

| Marsh Landing Generating Station: | Battery Pack | Date: May 25, 2007 |
| Monitor: | Derek Jansen | Time: 0830 - 1200 Hrs |
| Weather: | 55-81°F, WSW/15mph, Partly Cloudy to Sun | Photo Numbers: 2021 0525 - Switchgear to Battery excavation |

### Activity that requires monitor’s presence:
- ALB operating equipment, excavating 3’ x 3’ trench from switchgear to Battery pack

### Description of Construction Activities Observed:
- Excavate 3’ x 3’ 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 goldfinch, black phoebe, turkey vulture
**Daily Monitoring Checklist**

(Click if in compliance)

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- [✓] No pets are present on site

**Date**: May 25, 2021

**Notes:**

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AECOM

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

| Marsh Landing Generating Station: | Date: 06/10/2014 |
| Monitor: Sarah Fluhrty | Time: May 28 2021 |
| Weather: Clear 60" | |

| Photo Numbers: | in folder 1/5 date on server |
| Activity that requires monitor’s presence: | Trenching between switchgear and battery pad |
| Description of Construction Activities Observed: | Trenching, watching exposed soils, adding straw wattles to stockpile area |

## Compliance Observations and Issues:

**ESA Fencing:** N/A

**Wildlife Pitfalls/Traps/Pipes:** Using a board in the trench to provide egges.
Confirmed with Neal (Toolman) that the board will be placed again in trench at the end of the workday.

**Nesting Birds:** No nest (outside buffer) may have fledged, Cass checks still around (also out of work area)

**Coordination with Construction Personnel:** Attended Twilight, received daily work plan from Manuel, spoke to Neal (foreman) about planned work for today and tomorrow.

## Other Compliance Issues:

**Wildlife Species List for Day:**

- NOM10 O.S.P.R.
- ROP1
- C5JA
- HoF1
- CORA
- BASW
- ANWU

---

**AECOM**

300 Lakeside Drive, Suite 400
Oakland, CA 94612, USA
### Daily Monitoring Checklist

(Check if in compliance)

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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:  
Monitor: Joe Bandel  
Weather: Sunny, clear, temps in low 60's to 70's  
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 stackpile 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 was nearly empty. The chucks fledged already as there were no young or adult birds nearby

Coordination with Construction Personnel: Continued with foreman that no new areas would be disturbed.

Other Compliance Issues:

Wildlife Species List for Day: cliff swallow, house finch, western scrub-jay, eurasian collared dove, black-tailed jackrabbit, western fence lizard, osprey, northern mockingbird
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<thead>
<tr>
<th>Daily Monitoring Checklist</th>
<th>Date 5/27/21</th>
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Notes:
### Biological Monitoring Log

| Marsh Landing Generating Station: | Date: May 28, 2021 |
| Monitor: Sarah Flaherty | Time: 06:40 – 08:15 |
| 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/buzzers 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:

- HOPI BASW
- CORA CLSW
- ROPI black-tailed jackrabbit tracks
- CAST coyote
- ANHU
- NOMO

---

AECOM

300 Lakeside Drive, Suite 400
Oakland, CA 94612, USA
Daily Monitoring Checklist
(Check if in compliance)

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☑No pets are present on site

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Notes:
### Biological Monitoring Log

| Marsh Landing Generating Station: | Date: 6/01/21 |
| Monitor: Allan Chan-Alvarado | Time: 0730 - 1530 |
| Weather: warm, clear, sunny 79°F |

**Photo Numbers:**
- 05/21 - water truck - battery yard
- 06/21 - stockpile - moving - hill

**Activity that requires monitor’s presence:**
- Movement/spraying of soil stockpiles
- Watering/construction of soil

**Description of Construction Activities Observed:**
Soil stockpiles are bagged and moved at the west well. 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 nest is finished - chicks have fledged
- No new nests

**Coordination with Construction Personnel:**
- Spoke with Al & B foreman during morning tailgate meeting about today’s activities

**Other Compliance Issues:**
None

**Wildlife Species List for Day:**
- California scrub jay, barn swallow, turkey vulture
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Notes:
**Biological Monitoring Log**

| Marsh Landing Generating Station: | Date: 6/2/21 |
| Monitor: Joe Brandel | Time: 7:15-9:30 |
| Weather: Sunny, clear; temps in 50's, 60's |  |

**Activity that requires monitor’s presence:**
- **Construction of battery pad**

**Description of Construction Activities Observed:**
- Using excavation to move soil material at stockpile area
- Working the worksite
- 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. Madrona nest appears to have fledged already. Western Scrub-Jay nest appears to have an active and healthy nest.

**Coordination with Construction Personnel:** Workers are still waiting for plans to move forward.

**Other Compliance Issues:**

**Wildlife Species List for Day:** cliff swallow, euansian collared dove, house flick, western scrub-jay, turkey vulture.
Daily Monitoring Checklist
(Check if in compliance)

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Date 6/2/21

Notes:

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

| Marsh Landing Generating Station | Date: 5/3/2021 |
| Monitor: Katie Hulzen | Time: 8:40am |
| Weather: Sunny, clear, 75°F | |

Photo Numbers: In folder labeled by date

Activity that requires monitor’s presence:
- Equipment is work area cleanup
- Construction paused at site today.

Description of construction activities observed:
- None - construction paused

Compliance Observations and Issues

ESA Fencing: n/a

Wildlife Pitfalls/Traps/Pipes: n/a

Nesting Birds: Observed likely Nono nest @ 38.0144948, -121.7664642. Adults repeatedly returning to coyote bush, tending to something tucked into bush. Head juvenile begging.

Coordination with Construction Personnel:
- Construction paused, checked in w/ David Freuden @ end of survey.

Other Compliance Issues:
- n/a
Wildlife Species List/Notes:

<table>
<thead>
<tr>
<th>Wildlife Species</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>ROPI</td>
<td></td>
</tr>
<tr>
<td>GREB</td>
<td></td>
</tr>
<tr>
<td>CLSW - nestry in windows of brick building</td>
<td></td>
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<tr>
<td>HOFI</td>
<td></td>
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<tr>
<td>OSPR</td>
<td></td>
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<tr>
<td>NMOO - possible nest</td>
<td></td>
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<tr>
<td>CASS</td>
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<tr>
<td>RTHA</td>
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</tbody>
</table>

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 [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

Date 6/8/21

Notes: 

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Annex 3

URS
1333 Broadway, Suite 800
Oakland, CA 94612
## Biological Monitoring Log

| Marsh Landing Generating Station: | Date: | Jun. 4, 2021 |
| Monitor: Derek Jansen | Time: | 0630.0830 |
| Weather: 55.9°F, WSW @ 16mph | Photo Numbers: | 20210604 |

### Activity that requires monitor’s presence:
Site visit for monitoring inspection.

### Description of Construction Activities Observed:
N/A

### Compliance Observations and Issues:
- Elevate conduit or cap for staged materials

### ESA Fencing:
N/A

### Wildlife Pitfalls/Traps/Pipes:
Asbestos pipe openings covered and sealed with sandbags.

### Nesting Birds:
N/A - no nesting birds observed within work area.

### Coordination with Construction Personnel:
Informed St Energy Michael Corran

### Other Compliance Issues:
N/A

### Wildlife Species List for Day:
Osprey, horse 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.

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