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<th><strong>DOCKETED</strong></th>
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<tr>
<td><strong>Docket Number:</strong></td>
<td>08-AFC-03C</td>
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<tr>
<td><strong>Project Title:</strong></td>
<td>Marsh Landing Generating Station Compliance</td>
</tr>
<tr>
<td><strong>TN #:</strong></td>
<td>242515-4</td>
</tr>
<tr>
<td><strong>Document Title:</strong></td>
<td>2021 CEC Annual Compliance Report Part 3A</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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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: Jun-4-2021

Notes:

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

| Marsh Landing Generating Station: | Date: 6/7/21 |
| Monitor: Joe Bandel | Time: 7:10 - 9:30 |
| Weather: Clean, sunny, temps in 60s - 70s |

**Photo Numbers:**

**Activity that requires monitor’s presence:**

- Work at battery pad

**Description of Construction Activities Observed:**

- Construction workers gathered and mentioned that work was on hold because an archaeologist reported the pipe to the Energy Complex.

**Compliance Observations and Issues:**

**ESA Fencing:** No

**Wildlife Pitfalls/Traps/Pipes:** All trenches + excavations have ramps for wildlife to escape.

**Nesting Birds:** No new nests observed. No activity observed.

**Coordination with Construction Personnel:** Talked with construction foreman and determined that construction is on hold.

**Other Compliance Issues:** None

**Wildlife Species List for Day:**

- Eurasian collared dove, cliff swallow, sapsucker, western scrubjay, turkey vulture, house fly, western house fly, rock dove
### Daily Monitoring Checklist

(Click 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.

### Date

- 6/7/21

---

**Notes:**
**Biological Monitoring Log**

| Marsh Landing Generating Station: | Date: 6/9/21 |
| Monitor: Bill Smith Center | Time: 07:15 - 11:15 |
| Weather: 60° - 75°F, clear & breezy | Photo Numbers: 20210604_1/2 |

Activity that requires monitor’s presence: SIT visit daily inspection / onsite safety.

No new grand disturbance occurring.

Description of Construction Activities Observed: Crews working in confined spaces, conduit work.

Compliance Observations and Issues: N/A

ESD Fencing: N/A

Wildlife Pitfalls/Traps/Pipes: Ramps in place, pipe covered.

Nesting Birds: No nesting observed on this date.

Coordination with Construction Personnel: Met former Michael, read facility tour from David.

Other Compliance Issues: N/A

Wildlife Species List for Day:
black-tailed jackrabbit, nighthawk swallow, turkey vulture, rock pigeon, house pigeon, California scrub-jay, mourning dove, European tawny.
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Notes:

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

Marsh Landing Generating Station:  
Monitor: Joe Bandel  
Weather: Sunny, clear, cooler, temps in 50s  
Date: 6/10/21  
Time: 7:30 - 9:30

Activity that requires monitor’s presence:  
Construction work for battery pad

Description of Construction Activities Observed:  
- Excavation at trench between Units 3 + 4 for pipeline + utilities.  
- Fix cut-in type barrier around battery pad excavation.

Compliance Observations and Issues:

ESA Fencing: NA

Wildlife Pitfalls/Traps/Pipes: All trenches + excavations had escape ramps.  
Escape ramps were placed in suitable locations for use by wildlife.

Nesting Birds: No new nests found. No active nests were apparent for survey.

Coordination with Construction Personnel: NA

Other Compliance Issues: NA

The pipes stored near the trench by Unit 4 have been placed above

Wildlife Species List for Day:  
- House finch, western scrub-jay, cliff swallow,
- Eurasian collared dove, American crow.
Daily Monitoring Checklist
(Combine if in compliance)

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

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Date 6/6/21

Notes:
### Biological Monitoring Log

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<th>Monitor:</th>
<th>Time:</th>
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<tbody>
<tr>
<td>Billy Spittlesworth</td>
<td>6/11/21</td>
<td></td>
<td>0745-1140</td>
</tr>
<tr>
<td>Weather: 60-80°F, clear &amp; breezy</td>
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<tr>
<td>Photo Numbers:</td>
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<tr>
<td>1001/06/11-01/02/03</td>
<td></td>
<td></td>
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<tr>
<td>Activity that requires monitor's presence:</td>
<td></td>
<td>Daily inspection, crews excavating trench to pull-out conduct, moving exposed trench prior.</td>
<td></td>
</tr>
<tr>
<td>Description of Construction Activities Observed:</td>
<td></td>
<td>Crew conveys in trench, conduit work, exposed trench, coating asphalt to pull-out conduits</td>
<td></td>
</tr>
<tr>
<td>Compliance Observations and Issues:</td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>ESA Fencing:</td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Wildlife Pitfalls/Traps/Pipes:</td>
<td></td>
<td>Ramps &amp; appropriate coverings in place</td>
<td></td>
</tr>
<tr>
<td>Nesting Birds:</td>
<td></td>
<td>No new nesting activity in project area</td>
<td></td>
</tr>
<tr>
<td>Coordination with Construction Personnel:</td>
<td></td>
<td>Spoke with Mike Forman discussing planned daily activities &amp; securing work</td>
<td></td>
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<tr>
<td>Other Compliance Issues:</td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Wildlife Species List for Day:</td>
<td></td>
<td>Osprey, European starling, California scrub-jay, red-tailed hawk, turkey vulture, barn swallow, black-tailed gnatcatcher, rock pigeon, mourning dove</td>
<td></td>
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**AECOM**

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

(heck 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.

Date 6/11/20

Notes:
**Biological Monitoring Log**

| Marsh Landing Generating Station: | Battery Park          |
| Monitor:                        | Derek Jansen          |
| Date:                           | Jun-14-2021          |
| Time:                           | 0630 - 1000          |
| Weather:                        | S7-32°F, WSW @ 15mph |
| Photo Numbers:                  | 2021.06.14 -         |

Activity that requires monitor’s presence: Daily inspection and potential excavation of asbestos pipe.

Description of Construction Activities Observed:
- Duct/Conduit install between switch gear to battery park.

Compliance Observations and Issues:
- Cover gravel pile with vigen, gravel bags, and rope securing in place.
- N/A - ESA Fencing:

Wildlife Pitfalls/Traps/Pipes:
- N/A - Escape ramps, conduit capped.
- Suggest NRG covers man hole openings instead of using snow fence.

Nesting Birds:
- N/A - Monitored northern mockingbird nest (inactive) at 38.014991°N, 121.764467°W

Coordination with Construction Personnel: Confirmed activity with Michael Corran that duct bank this week and asbestos abatement crew next week.

Other Compliance Issues:
- N/A

Wildlife Species List for Day:
- Forster's tern, Peregrine falcon, White-tailed kite, osprey, house finch, cliff swallow, rock pigeon, northern mockingbird, American crow, red-tailed hawk, common raven, mourning dove, Eurasian collared-dove.
## Daily Monitoring Checklist

(Resolve if in compliance)

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### Notes:

_AECom_

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

**Marsh Landing Generating Station**

**Date:** 6/15/21

**Monitor:** Kate McLean

**Time:** 6:30am - 8:00am

**Weather:** Sunny, slightly windy

**Photo Numbers:** Organized by date in project folder

**Activity that requires monitor’s presence:**

- **Daily site clearance, install + grading of conduits**

**Description of Construction Activities Observed:**

- *installation of conduit between units 2 & 4.*

**Compliance Observations and Issues:** None

**ESA Fencing:** Wow! **NA**

**Wildlife Pitfalls/Traps/Pipes:** Snare traps in conduit trenches

**Nesting Birds:** **None observed**

**Coordination with Construction Personnel:** Per Michael, conduit will continue to be installed + graded this week.

**Other Compliance Issues:** None

### Wildlife Species List for Day:

- Hof1
- EmlD
- Cast
- BliH
- NomD
- Vsp1
- Turu

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**URS**

1333 Broadway, Suite 800
Oakland, CA 94612
<table>
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<tr>
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Notes:
**Biological Monitoring Log**

| Marsh Landing Generating Station | Date: 6/16/21 |
| Monitor: SAM ABREUQUEBIE        | Time: 0700 - 0900 |
| Weather: WARM, CLEAR, BREEZE FROM WEST, 65° - 75°F | |

**Photo Numbers:**
- STORED IN FILE FOLDER

**Activity that requires monitor's presence:** ONGOING CONSTRUCTION, TRENCHING.

**Description of Construction Activities Observed:**
- WORK AROUND OPEN TRENCHES
- GRADING IN TRENCH & SIDEWALL CLEANUP. NO NEW SOIL DISTURBANCE TODAY.

**Compliance Observations and Issues:**

**ESA Fencing:**
- RAILS & BARRIER FENCING IN GOOD CONDITION

**Wildlife Pitfalls/Traps/Pipes:**
- GOOD CONDITION

**Nesting Birds:**
- N/A - NO BIRD ACTIVITY DROPPED OFF DRAMATICALLY W/ RISING HEAT

**Coordination with Construction Personnel:**
- Spoke to foreman - work on growing in trench this week, no planned soil movement until Monday 6/21, planned schedule

**Other Compliance Issues:**
- STILL M-SAT

**Wildlife Species List for Day:**
- OSPREY, HOPI, CASS, NOHO, MODO, ANHU, AMER, CLSW, RTA
- BLPI, BOTI, ROPI

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Oakland, CA 94612
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Notes:
## Biological Monitoring Log

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<th>Marsh Landing Generating Station:</th>
<th>Date: 0715 - 0815</th>
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</thead>
<tbody>
<tr>
<td>Monitor: Sarah Flattery</td>
<td>Time: June 18 2021</td>
</tr>
<tr>
<td>Weather: 76°F clear - expected to be 106°F later today</td>
<td></td>
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</tbody>
</table>

### Photo Numbers:
- in folder on server w/date

### Activity that requires monitor’s presence:
- General environmental inspection for compliance

### Description of Construction Activities Observed:
- hand-digging old asbestos pipe. Prepare for removal from around bottom pad.

### Compliance Observations and Issues:

#### ESA Fencing:
- N/A

#### Wildlife Pitfalls/Traps/Pipes:
- in place

#### Nesting Birds:
- no active nests in work areas

#### Coordination with Construction Personnel:
- N/A

#### Other Compliance Issues:
- None

<table>
<thead>
<tr>
<th>Wildlife Species List for Day:</th>
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<tbody>
<tr>
<td>Modo</td>
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<td>HOFI</td>
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<td>Casj</td>
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<td>Nomo</td>
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<td>SAPH</td>
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**Notes:**
# Biological Monitoring Log

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<td>Monitor: CAM APEXZ0031E</td>
<td>Time: 0715 - 0915</td>
</tr>
<tr>
<td>Weather: CLEAR, 10MPH WIND FROM WEST, 62° - 65°F</td>
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</table>

**Photo Numbers:** Photos Saved By/Date

**Activity that requires monitor’s presence:** ONGOING CONSTRUCTION - TRENCHING & EXCAVATION

**Description of Construction Activities Observed:** WORK IN BATTERY PAD + STOCKPILE AREA. SOIL IN STOCKPILE BEING TRANSPORTED BACK TO BATTERY PAD TO FILL IN EXCAVATED AREAS. EQUIPMENT & PERSONNEL W/ HAND TOOLS IN OPERATION

**Compliance Observations and Issues:**

- **ESA Fencing:** GOOD
- **Wildlife Pitfalls/Traps/Pipes:** GOOD
- **Nesting Birds:** N/A

**Coordination with Construction Personnel:** Spoke w/ Sosi (Project Engineer) about plans for day - week; concrete to be poured in conjunct prnch by end of week. Today, soil movement between battery pad + stockpile (no new soil excavation). Asbestos pipe removed + plugged on Friday.

**Other Compliance Issues:** NO COMPLIANCE ISSUES 6/18.

**Wildlife Species List for Day:**  
NODO, HOFI, ANACR, OSPREY, CASI, NONO, ANHJ, BLPY, CLSW, COHA
# Daily Monitoring Checklist

(Include 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
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- [✓] No firearms are present on site (except security personnel)
- [✓] No pets are present on site

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**Notes:**

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**Biological Monitoring Log**

| Marsh Landing Generating Station | Date: 1/17/02 |
| Monitor: Karl McLean | Time: 6:30 - 9:00 |
| Weather: Sunny Clear | |

**Photo Numbers:** In side of today's date

**Activity that requires monitor's presence:**
- Daily site clearance, bio-monitoring of constructed area

**Description of Construction Activities Observed:**
- The only work occurring today is cleaning with one person doing this.

**Compliance Observations and Issues:**
- ESA fencing

**Wildlife Pitfalls/Traps/Pipes:**
- Pipe openings covered, non-targeting
- Earthworm dynamics monitored to reduce impact

**Nesting Birds:**
- None observed

**Coordination with Construction Personnel:**
- No work is planned for tomorrow
- Coordination for next week

**Other Compliance Issues:**
- None

**Wildlife Species List for Day:**
- Bird, swallow
- Cat
- Raccoon
- Snake
- Opossum

**URS**

1333 Broadway, Suite 800
Oakland, CA 94612
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<td>- Deliberate feeding of wildlife is not occurring</td>
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<td>- Food-related trash is being disposed of in closed containers and removed weekly</td>
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<td>- No firearms are present on site (except security personnel)</td>
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<td>- No pets are present on site</td>
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Notes:
# Biological Monitoring Log

| Marsh Landing Generating Station: | Battery Pack | Date: | Jun 29, 2021 |
| Monitor: | Daren Tumisu | Time: | 0630-1000 |
| Weather: | 61-97°, WSW 15mph | | |
| Photo Numbers: | 20210629-1 | | |

**Activity that requires monitor's presence:** Daily inspection, excavation of disturbed soil stockpile, add soil lift to Battery footing, compaction w/den of sheep's food, and water trade

**Description of Construction Activities Observed:**
- Battery pile soil lift to geo-tech fabric grade
- Geo-tech fabric install on top of 1st completed lift

**Compliance Observations and Issues:**
- Cover gravel pile completely with visqueen.
- Eastern portion of pile exposed (20% area exposed)

**ESA Fencing:** N/A

**Wildlife Pitfalls/Traps/Pipes:** N/A - escape ramps in conduit trench, conduit elevated off ground, asbestos pipe capped w/plastic.

**Nesting Birds:** N/A

**Coordination with Construction Personnel:** Continued activity w/ AEC and SE Energy

**Other Compliance Issues:** N/A

**Wildlife Species List for Day:**
- Northern mockingbird, American kestrel, house finch, coyote, hummingbird, California scrub-jay, mourning dove, cliff swallow, black phoebe, rock pigeon, peregrine falcon, northern rough-winged swallow
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  Jun- 29 - 2021

Notes:

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

| Marsh Landing Generating Station: Battery Pol, Conduits, Trench, False Arrears | Date: 6/30/21 |
| Monitor: B. Splittstoesser | Time: 0730 - 1100 |
| Weather: Upper bid = Upper Barb, clear & calm | Photo Numbers: 2021 06 30 01 |

Activity that requires monitor's presence: Daily maintenance

Description of Construction Activities Observed:

- Earthwork in/next to battery pad.

Compliance Observations and Issues: N/A

ESA Fencing: N/A

Wildlife Pitfalls/Traps/Pipes: Appropriate escapes/couplings in place.

Nesting Birds: None observed in work area.

Coordination with Construction Personnel:

- Working on activities.

Other Compliance Issues:

- N/A

Wildlife Species List for Day:

- Northern Mockingbird, European Collared Dove,
- Black-tailed Jack Rabbit, European Starling, Mourning Dove, House Finch.
### Daily Monitoring Checklist

(Complete 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:** 6/28/21

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**Notes:**