

DOCKETED

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Project Title:	Marsh Landing Generating Station Compliance
TN #:	242515-5
Document Title:	2021 CEC Annual Compliance Report Part 3B
Description:	Annual Compliance Operations Report
Filer:	David Frandsen
Organization:	NRG
Submitter Role:	Applicant
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Biological Monitoring Log

Marsh Landing Generating Station: <i>Battery Pad, Conductor Trench, ^{across from (east of)} Battery Road</i>	Date: <i>7/01/21</i>
Monitor: <i>Alan Chan Alvarado</i>	Time: <i>0710 - 1100</i>
Weather: <i>clear & calm 59°-87° F, wind 12 mph</i>	
Photo Numbers: <i>20210701-01</i>	
Activity that requires monitor's presence: <i>Daily inspection</i>	
Description of Construction Activities Observed: <i>black geogrid install in battery pad trench, completion of trench. Concrete poured and set in smaller trench across the road (east of) battery pad</i>	
Compliance Observations and Issues: <i>N/A</i>	
ESA Fencing: <i>N/A</i>	
Wildlife Pitfalls/Traps/Pipes: <i>Appropriate escapes/coverings in place</i>	
Nesting Birds: <i>N/A</i>	
Coordination with Construction Personnel: <i>confirmed activity with JLE Foreman</i>	
Other Compliance Issues: <i>N/A</i>	
Wildlife Species List for Day: <i>Northern mockingbird, black-tailed jack rabbit, house finch, black phoebe, California scrub jay, Eurasian collared dove</i>	

Daily Monitoring Checklist
(Check if in compliance)

Date 07/01/21

- ☒ 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:



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

Biological Monitoring Log

Marsh Landing Generating Station	Date: 7/6/2021
Monitor: Jon Stead	Time: 9am - 11am
Weather: clear, seasonal	
Photo Numbers: various	
Activity that requires monitor's presence: earthwork	
Description of construction activities observed: backfilling / buildup of battery pad area with dirt from soils pile	
<u>Compliance Observations and Issues</u>	
ESA Fencing:	
Wildlife Pitfalls/Traps/Pipes:	
Nesting Birds:	
Coordination with Construction Personnel: Met w/ Michael Curran (foreman) & Rylen (CM, Clearway) & toured site	
Other Compliance Issues: Michael & Rylen agreed to put temporary fence around current limits of disturbance at soils pile. Once up, no disturbance will occur beyond fence w/o coordination w/ biology. This should allow biology to request a reduction in monitoring.	

Wildlife Species List/Notes:

Daily Monitoring Checklist

Date 7/6/2021

- (Check if in compliance) *All 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:

Biological Monitoring Log

Marsh Landing Generating Station:	Date: July 7 2021
Monitor: Sarah Flaherty	Time: 0800 - 08 0900
Weather: Sunny, 62°F - 70°F	

Photo Numbers:

in folder by date on server

Activity that requires monitor's presence:

none - just a daily inspection required

Description of Construction Activities Observed:

backfilling trench nearest battery pad
 excavator loading soils ^{from stockpile hill} and transporting to battery pad area
 water truck spraying surfaces to reduce dust in work areas
 dozer spreading + compacting soils in the battery pad area

Compliance Observations and Issues:

ESA Fencing: n/a

Wildlife Pitfalls/Traps/Pipes: only one trench being actively worked on currently

Nesting Birds: none in work area

Coordination with Construction Personnel: n/a

Other Compliance Issues: none

Wildlife Species List for Day:

OSPR - carrying nesting material + placing on lightpole near battery pad

SNEG

HOFI

ANHU

CAGU



Daily Monitoring Checklist

(Check if in compliance)

Date July 7, 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: 7/8/21
Monitor: Katie Mulezn	Time: 7:40am
Weather: Sunny, clear	
Photo Numbers: will be saved on network with today's date	
Activity that requires monitor's presence: Moving soil from stock pile to battery pad; compacting & wetting. Filling conduit trenches w/ gravel.	
Description of Construction Activities Observed:	
Compliance Observations and Issues: None	
ESA Fencing: T-posts, rope, and caution tape have been placed along stockpile to delineate extent of disturbance allowed.	
Wildlife Pitfalls/Traps/Pipes: Conduit trenches have been filled.	
Nesting Birds: No nests observed, but it looks like an osprey has been placing sticks on a lamp post at 38.0170192, -121.7633646. Saw 2 osprey but they didn't come near lamp post.	
Coordination with Construction Personnel: Reviewed planned activities for the day.	
Other Compliance Issues: None	
Wildlife Species List for Day:	
HOFI	Osprey
ROFI	Barn Swallow
Cormorants	
Gull (western?)	
Cliff Swallow	
CASS	

Daily Monitoring Checklist
(Check if in compliance)

Date 7/8/21

- ☒ 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
Osprey has been bringing sticks to lamp post.
- ☒ 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:

Biological Monitoring Log

Marsh Landing Generating Station:	Date: 2/9/21
Monitor: B. Splittauer	Time: 0745-1020
Weather: Clear, calm and 70s-80s	
Photo Numbers: 20110709-01/02/03/04	
Activity that requires monitor's presence: Daily inspection, additional time spent observing lamp post for Osprey nest-building.	
Description of Construction Activities Observed: Transporting Soil from Stockpile to Battery Pad, Wetting, Spreading, Compacting.	
Compliance Observations and Issues: N/A	
ESA Fencing: & symbolic fencing along Stockpile intact.	
Wildlife Pitfalls/Traps/Pipes: Trunks filled.	
Nesting Birds: No Osprey activity observed, lamp post monitored in AM. Slicker & evidence of interest apparent.	
Coordination with Construction Personnel: Revised planned activity.	
Other Compliance Issues: N/A	
Wildlife Species List for Day: Barn Swallow, Cliff Swallow, Turkey Vulture, Red-tailed Hawk, House Finch, Rock Pigeon, California Song-Sparrow	

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Daily Monitoring Checklist

(Check if in compliance)

Date 3/9/21

- ☒ 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
- No activity observed, Display previously observed bringing sticks to lamp post
- ☒ 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

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Biological Monitoring Log

Marsh Landing Generating Station:	Date: July 10 2021
Monitor: Sarah Flaherty	Time: 0950-10:30
Weather: 87°F	

Photo Numbers:
on Server in folder w/date

Activity that requires monitor's presence:
none - just a daily inspection

Description of Construction Activities Observed:
 - hauling dirt from stockpile to battery pad location for compaction
 - water truck spraying down soils to limit dust

Compliance Observations and Issues:

ESA Fencing: n/a

Wildlife Pitfalls/Traps/Pipes: n/a

Nesting Birds: none onsite

Coordination with Construction Personnel: none

Other Compliance Issues:
none observed. symbolic fencing delineating ground disturbance areas on hill is in good shape

Wildlife Species List for Day:
 HOFI
 ROPI
 ANHU



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Daily Monitoring Checklist
(Check if in compliance)

Date July 10 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

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Biological Monitoring Log

Marsh Landing Generating Station:

Monitor: Kane McLean

Date: 7/12/21

Weather: 64°F, sunny, clear

Time: 7:50 - 8:40

Photo Numbers: will be saved in project folder w/ today's date

Activity that requires monitor's presence:

site clearance, bio monitoring

Description of Construction Activities Observed:

using water truck to spray down soil in battery pad work area

compacting + grading soil in battery pad work area

Compliance Observations and Issues:

None

ESA Fencing: No issues. Fencing around stockpile has been upgraded from t-posts w/ rope + caution tape to orange

Wildlife Pitfalls/Traps/Pipes: ESA fencing.

None

Nesting Birds:

None observed. Sticks placed on lamp post by osprey last week haven't changed - no additional sticks have been placed

Coordination with Construction Personnel:

None

Other Compliance Issues:

None

Wildlife Species List for Day:

HOF 1

osprey

HOF 1

CAST

Daily Monitoring Checklist

(Check if in compliance)

Date 7/12/21

- ☒ 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:

Biological Monitoring Log

Marsh Landing Generating Station:	Date: 7/13/21
Monitor: Katie McLean	Time: 8:00 - 8:50
Weather: 41°F, sunny, clear	
Photo Numbers: In project folder w/ today's date	
Activity that requires monitor's presence: site clearance, no monitoring	
Description of Construction Activities Observed: Adding soil from stockpile to battery pad work area Wetting, grading, & compacting soil in battery pad work area to create ramps.	
Compliance Observations and Issues: None	
ESA Fencing: In good condition	
Wildlife Pitfalls/Traps/Pipes: None	
Nesting Birds: None observed	
Coordination with Construction Personnel: None	
Other Compliance Issues: None	
Wildlife Species List for Day: Osprey barn swallow jack rabbit raptor gulls C. mer 243 (CAS) RTHA TUNA	



Daily Monitoring Checklist

Date 7/13/21

(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
- ☒ 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: 7/14/21
Monitor: Kate Mulezn	Time: 8:15 - 9:00
Weather: 61°F, sunny, windy	
Photo Numbers: in project folder w/ today's date	
Activity that requires monitor's presence: Site clearance, bio monitoring	
Description of Construction Activities Observed: Surveying battery pad work area, the finishing grading of battery pad work area	
Compliance Observations and Issues: None	
ESA Fencing: In good condition	
Wildlife Pitfalls/Traps/Pipes: None	
Nesting Birds: None observed	
Coordination with Construction Personnel: None	
Other Compliance Issues: None	
Wildlife Species List for Day:	
RTHA	POPI
Barn Swallow	Osprey
Western fence lizard	Turtle
LEGO	
HOPI	

Daily Monitoring Checklist
(Check if in compliance)

Date 7/14/21

- ☒ 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:

Biological Monitoring Log

Marsh Landing Generating Station:	Date: July 15 2021
Monitor: Sarah Flaherty	Time: 0900-1000
Weather: Sunny 66°F	

Photo Numbers: _____
 on server in file labeled with today's date

Activity that requires monitor's presence: _____
 general inspection for env. compliance

Description of Construction Activities Observed: _____
 - trenching in battery pad area
 - transport of soils back to excess spoils hill
 - watching of exposed soils to limit dust

Compliance Observations and Issues: _____

ESA Fencing: in place to delimit work area on hill

Wildlife Pitfalls/Traps/Pipes: boards in trench to provide wildlife egress.

Nesting Birds: none onsite

Coordination with Construction Personnel: n/a

Other Compliance Issues: none

Wildlife Species List for Day:

BASW NOMA
 HOFI EUCD
 ANHA
 SOSP
 SPTD



Daily Monitoring Checklist
(Check if in compliance)

Date July 15 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:



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

Biological Monitoring Log

Marsh Landing Generating Station: <i>Battery Pack</i>	Date: <i>July 16 - 2021</i>
Monitor: <i>Derek Tansen</i>	Time: <i>0600-0900</i>
Weather: <i>55-85°F, SW 9 mph</i>	
Photo Numbers: <i>20210716-</i>	
Activity that requires monitor's presence: <i>Daily inspection, excavation/trench for conduit at battery pack,</i>	
Description of Construction Activities Observed: <i>Battery pack trench and dirt bank installation/tie-in</i>	
Compliance Observations and Issues: <i>Use less water on stockpile to prevent runoff into ditch. Cover dumpster. Pick up pipes from ground. Dispose from contaminated soils.</i>	
ESA Fencing: <i>Shrub fencing/Trash fence surrounding stockpile disturbance</i>	
Wildlife Pitfalls/Traps/Pipes: <i>N/A - escape ramps installed at conduit trench.</i>	
Nesting Birds: <i>N/A - keep eye on wood light pole northeast of pad because osprey nesting activity.</i>	
Coordination with Construction Personnel: <i>Coordinated w/ ALB and SE Energy. Spoke with David Wilkenson (ALB PM) and Michael Curran (SE Energy)</i>	
Other Compliance Issues: <i>N/A</i>	
Wildlife Species List for Day: <i>Northern mockingbird, house finch, osprey, coyote (track), raccoon (track), Anna's hummingbird, California scrub-jay, mourning dove, cliff swallow, black phoebe, rock pigeon, northern rough-winged swallow.</i>	

Daily Monitoring Checklist

(Check if in compliance)

Date July-16-2021

- ☒ 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
Keep eye on light pole northeast of Batt. Pad. Osprey nesting
- ☒ 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: July 21 2021
Monitor: Sarah Fieherly	Time: 0806 - 3915
Weather: 68°F, Sunny	
Photo Numbers: in folder on server	
Activity that requires monitor's presence: weekly inspection	
Description of Construction Activities Observed: trenching to install electrical conduit in battery pad area hauling soil to Excess Sals Pile Watering to reduce dust	
Compliance Observations and Issues:	
ESA Fencing: N/A Fencing on spoils hill in place	
Wildlife Pitfalls/Traps/Pipes: boards in trench to allow wildlife egress	
Nesting Birds: none observed on site	
Coordination with Construction Personnel: none	
Other Compliance Issues: none	
Wildlife Species List for Day:	
EUST BLPH	
HOFI	
NOMO	
CORA	
Swallow sp.	
FOTE	



Daily Monitoring Checklist
(Check if in compliance)

Date July 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
- ☒ 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: 7/30/2021
Monitor: Sarah Flaherty	Time: 0650-0750
Weather: 68°F partly cloudy	
Photo Numbers: on server in folder w/ today's date	
Activity that requires monitor's presence: weekly inspection	
Description of Construction Activities Observed: watering down exposed soils in battery pad area continued work installing conduit in battery pad area soil compaction in battery pad w/ small equipment	
Compliance Observations and Issues:	
ESA Fencing: perimeter fencing on Excess spoils pile in good shape + delimiting area of disturbance	
Wildlife Pitfalls/Traps/Pipes: All trenches have ramps or boards to facilitate egress	
Nesting Birds: none observed	
Coordination with Construction Personnel: none	
Other Compliance Issues: none empty water bottles should be consolidated for observed some around battery pad area removal	
Wildlife Species List for Day: RTHA CAST HOFI BLPH	

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