Mojave Solar Project
Monthly Compliance Report
San Bernardino County, California

Monthly Compliance Report
July 2011

Prepared for:

Mojave Solar, LLC
13911 Park Avenue, Suite 206
Victorville, California 92392

August 12, 2011

During pre-construction and construction of the Mojave Solar Project, monthly compliance reports will be provided to the California Energy Commission (CEC) in accordance with condition of certification COMPLIANCE-6 of the License Decision, docket number 09-AFC-5C. This is the Monthly Compliance Report (MCR) for July 2011.

Construction activities have not yet started for the project. The only activities occurring in July were geotechnical investigations. The following table provides a summary of the information contained in this report:

Mojave Solar Project Monthly Compliance Reporting June 2011	
Conditions of Certification (COC) Topics	*Monthly Compliance Report*
Air Quality	NA
Biological Resources	See Attachment A
Cultural Resources	See Attachment B
Paleontological	See Attachment C
Waste Management	NA
Worker Safety	NA
Soil and Water	NA
General Conditions	NA
Civil	NA
Structural	NA
Mechanical	NA
Electrical	NA
Transmission System Engineering	NA
Compliance Matrix	See Attachment D

ATTACHMENT A

MOJAVE SOLAR PROJECT
MONTHLY COMPLIANCE REPORT FOR
BIOLOGICAL RESOURCES
SAN BERNARDINO COUNTY, CALIFORNIA

Monthly Compliance Report #4
July 2011 Reporting Period

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August 12, 2011

Mr. Dale Rundquist, CPM
(09-AFC-5C)
California Energy Commission
Siting, Transmission & Environmental Protection (STEP) Division
1516 Ninth Street (MS-2000)
Sacramento, CA 95814

RE: Monthly Compliance Report for Biological Resources for the Mojave Solar Project (MSP) for July 2011

Dear Mr. Rundquist:

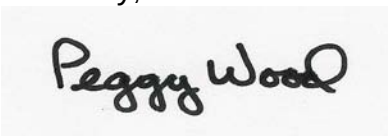
This letter is to provide the status on compliance activities for biological resources for the Mojave Solar Project (MSP) in July 2011. Attached you will find the July Monthly Compliance Report for Biological Resources (MCR for Biology) that describes the project's compliance with the following Conditions of Certification for biological resources:

- BIO-1: Designated Biologist Selection
- BIO-2: Designated Biologist Duties
- BIO-3: Biological Monitor Selection, Qualifications, and Duties
- BIO-4: Designated Biologist and Biological Monitor Authority
- BIO-5: Worker Environmental Awareness Program (WEAP)
- BIO-6: Biological Resource Mitigation Implementation and Monitoring Plan (BRMIMP) Development and Compliance
- BIO-7: Impact Avoidance and Minimization Measures
- BIO-8: Pre-Construction Nesting Bird Surveys and Impact Avoidance and Minimization Measure for Migratory Bird
- BIO-11: Desert Tortoise (DT) Exclusion Fencing, Clearance Surveys and Translocation Plan
- BIO-21: USFWS Biological Opinion

During the month of July 2011 three compliance activities occurred on the MSP site: 1) WEAP training for geotechnical construction crew, 2) nesting bird surveys, and 3) desert tortoise exclusion fence inspections. The WEAP training took place on July 25; the nesting bird surveys occurred from July 24 through July 29; and the DT exclusion fence was inspected July 5, 14, and 31. This MCR describes the above activities during July 2011.

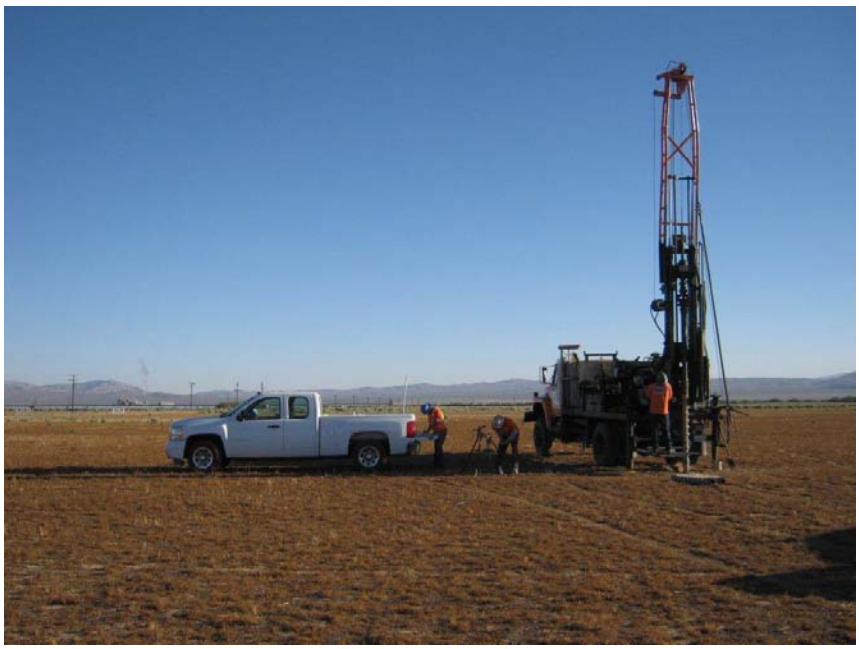
Should you have any questions, please contact me or Ron Walker at AECOM.

Sincerely,



Peggy Wood
Designated Biologist

MOJAVE SOLAR PROJECT
MONTHLY COMPLIANCE REPORT FOR BIOLOGICAL RESOURCES
SAN BERNARDINO COUNTY, CALIFORNIA



Monthly Compliance Report #4
July 2011 Reporting Period

Prepared for:

Mojave Solar LLC
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August 12, 2011

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INTRODUCTION

On behalf of Mojave Solar LLC, AECOM, and Designated Biologist (DB) Peggy Wood conducted Pre-Construction Bird Nest Surveys and Impact Avoidance and Minimization Measures for Migratory Birds for the Mojave Solar Project (Project or MSP) (Figure 2 of Attachment 1, GPS Track Logs of Bird Surveys). The surveys began on July 24, 2011 and ended on July 29, 2011. The purpose of the nesting bird surveys was to clear areas for geotechnical investigations (soil boring, resistivity, and micropile testing) that were scheduled to begin on July 25 and 27, 2011. In addition, Worker Environmental Awareness Program (WEAP) training was provided on July 25 and 27, 2011 to workers conducting the geotechnical investigations.

In addition, biologist Ron Walker continued weekly inspection and maintenance of the desert tortoise (*Gopherus agassizi*; DT) exclusion fence that was installed in March, April, and May 2011. DT fence inspection is an on-going weekly task for the Project.

Nest Surveys and Impact Avoidance and Minimization Measures for Migratory Birds, WEAP training, and DT fence inspections are being conducted in compliance with the following agency approvals and permits issued for the Project:

- California Energy Commission's (CEC) Final Conditions of Certification (COCs), BIO-1 through BIO-21 (Abengoa Mojave Solar Project Commission Decision, CEC-800-2010-008-CMF, DOCKET NUMBER 09-AFC-5 September 2010)
- Biological Resources Mitigation Implementation and Monitoring Plan for the Mojave Solar Project (BRMIMP, March 2011) and appended Compliance Plans
- U.S. Fish and Wildlife Service (USFWS) Section 7 Biological Opinion (BO) for the Mojave Solar Project No. 8-8-11-F-3 (March 17, 2011)
- USFWS Allowable Interim Actions per BO No. 8-8-11-F-3 (March 7, 2011)

The following measures are being implemented to protect the sensitive species known to occur within the MSP:

- Nesting birds (BIO-8)
- Desert tortoise (*Gopherus agassizi*) (BIO-11)
- Mohave ground squirrel (*Spermophilus mohavensis*) (BIO-12)
- Western burrowing owl (*Athene cunicularia*; WBO) (BIO-13)
- American badger (*Taxidea taxus*; AB) (BIO-14)

- Desert kit fox (*Vulpes macrotis*; KF) (BIO-14)

This Monthly Compliance Report (MCR) documents WEAP training, nesting bird surveys, and DT exclusion fence inspection and maintenance conducted from July 6 through July 31, 2011, as required by the following:

- WEAP trainings (BIO-5)
- Pre-Construction Nesting Bird Surveys and Impact Avoidance and Minimization Measures for Migratory Birds (BIO-8)
- Inspection and maintenance of DT exclusion fence installation (BIO-11)

The Project is divided into three sections based on the units that are being fenced in for DT exclusion. These units are described below:

- Alpha West occurs to the west of Harper Lake Road and north of Lockhart Road
- Alpha East occurs to the east of Harper Lake Road and north of Lockhart Road
- Beta occurs to the east of Harper Lake Road and south of Lockhart Road

The geotechnical investigations (bore holes) are spaced approximately 800 to 860 feet apart, and for the most part, evenly spaced across Alpha West, Alpha East, and Beta; however, bore holes situated in the Alpha East Power Block and Beta Power Block are spaced closer together and are approximately 60-80 feet apart. In order to clear these areas before the geotechnical investigations, nesting bird surveys were conducted covering areas within a 500-foot radius around each geotechnical investigation site (bore hole) and micropile testing site. The DB and Biological Monitor (BM) examined the proposed geotechnical investigation sites for nesting birds, and any other special status species that could occur in Alpha West, Alpha East, or Beta. The pedestrian surveys provided 100% visual coverage of potential suitable nesting habitat for migratory birds. The majority of the areas surveyed supported undisturbed desert saltbush scrub, disturbed desert saltbush scrub, disturbed desert saltbush scrub re-growth, and fallow agricultural-saltbush scrub re-growth.

MONITORED MITIGATION MEASURES AND PERMIT CONDITIONS

Biological mitigation measures for the MSP were developed through consultation with CEC, the California Department of Fish and Game (CDFG), and USFWS. Biological mitigation measures and permit conditions were implemented under the guidance and direction of the Project DB, with assistance from approved Biological Monitors (BMs), as required.

During July 2011, Project activities were in compliance with the COCs that apply to the pre-construction and construction activities. These COCs are as follows:

- BIO-1: Designated Biologist Selection
- BIO-2: Designated Biologist Duties
- BIO-3: Biological Monitor Selection, Qualifications, and Duties
- BIO-4: Designated Biologist and Biological Monitor Authority
- BIO-5: Worker Environmental Awareness Program (WEAP)
- BIO-6: Biological Resource Mitigation Implementation and Monitoring Plan (BRMIMP) Development and Compliance
- BIO-7: Impact Avoidance and Minimization Measures
- BIO-8: Pre-Construction Nesting Bird Surveys and Impact Avoidance and Minimization Measures for Migratory Birds
- BIO-11: Desert Tortoise Exclusion Fencing, Clearance Surveys, and Translocation Plan
- BIO-21: USFWS Biological Opinion

SUMMARY OF ACTIVITIES

Activities during the month of July included WEAP trainings, pre-construction nesting migratory bird surveys, and weekly inspections of the DT exclusion fencing. These activities were conducted by the Project's DB Peggy Wood, and BM Ron Walker. A list of the approved DB, alternate DBs, BMs is included in Attachment 2. There is one new addition to the list of approved biologists: Ron Walker. The activities conducted in July 2011 are described below and documented in Table 1. Table 1 is organized by the biological activity and specific location within the MSP (Alpha West, Alpha East, and/or Beta).

Pre-Construction Nesting Bird Surveys and Impact Avoidance and Minimization Measures for Migratory Birds

Pre-construction nesting bird surveys were conducted prior to the geotechnical investigations. The surveys covered an area with a 500-foot radius around each bore hole or micropile testing area. The walking transects were recorded using GPS units and the tracks are recorded on Figure 2 in Attachment A of this report. There are approximately 70 geotechnical investigation areas that required pre-construction nesting bird surveys; these were areas where construction occurred

during the nesting bird season (February1 through August 1). Because the geotechnical investigations occurred at the end of the nesting bird season, not all of bore holes were surveyed for nesting birds. The results of the completed nesting bird surveys revealed no active nests.

Worker Environmental Awareness Program (WEAP)

As required by BIO-5, all new employees/field staff reporting to the site must receive WEAP training prior to start of work. During July, 11 workers associated with the geotechnical investigations that began in July received WEAP training. Signed training acknowledgement forms for July are provided in Attachment 5. Per BIO-5, these forms will be kept on file by the Project owner for at least 6 months after the start of commercial operation.

Geotechnical Investigations

During July, geotechnical investigations included collecting soil samples from drilling bore holes, infiltration tests, and resistivity tests. Approximately 110 borings are being drilled to collect soil samples. The boring began on July 25 and is expected to continue through August 19, 2011. The infiltration tests and resistivity tests were conducted concurrently with the soil borings. In addition, micropile testing began on July 27 and finished on August 2.

Table 1
Pre-Construction Clearance Survey, WEAP Training and Observations, July 2011

Biological Monitoring Activity	Location within MSP	Relevant California Energy Commission Conditions of Certification	Construction/ Survey Activity	Start Date	End Date	Monitor(s)	Special-Status Species Observed	Notes on Observations
Worker Environmental Awareness Program (WEAP) Training	Alpha East, Alpha West, and Beta	BIO-5	Geotechnical Investigations	07/25/2011	07/25/2011	Peggy Wood	None	None
Pre-Construction Bird Nest Surveys and Impact Avoidance and Minimization Measures for Migratory Birds	Alpha East, Alpha West, and Beta	BIO-8	Geotechnical Investigations	07/24/2011	07/29/2011	Peggy Wood, Ron Walker, Jimmy McMorran	None	Prior to the beginning of the geotechnical investigations, nesting bird surveys were conducted covering a 500-foot radius around each proposed bore hole or micropile location. No bird nests were found.
DT Exclusion Fence Inspection and Maintenance	Alpha West, Alpha East, Beta	BIO-11	Weekly occurrence of inspecting the integrity of the DT exclusion fence	07/05/2011 07/14/2011 07/31/2011	07/05/2011 07/14/2011 07/31/2011	Peggy Wood and Ron Walker; see Daily Biological Monitoring Log forms in Attachment 3 of MCR	None	During July, there were three DT exclusion fence inspections conducted; there were no breaches found in the fence. Also, there were no DT or their sign found.

Desert Tortoise Exclusion Fence Inspections

In compliance with COC BIO-11, the DT exclusion fence was checked on a weekly basis. DT exclusion fence inspection and maintenance occurred on the following dates: July 5, 14, and 31, 2011. The fence line was inspected by walking and driving, thereby accomplishing 100% visual coverage. There were no breaches found during the fence inspections. Also, during the fence inspections, there were no observations of DT or their sign.

SUMMARY OF COMPLIANCE MEASURES

For the month of July, MSP is in compliance with the applicable COCs for biological resources. There were no Notifications or other non-compliance incidents issued by the DB in the month of July. Table 2 describes the current compliance status (e.g., complete, ongoing, or not started) for the 21 biologically related COCs as of July 31, 2011.

FUTURE ACTIVITIES

During August 2011, it is anticipated that MSP activities could include well abandonment, hazardous materials removal, demolition, geotechnical investigations, site grading, and clearing and grubbing. It is expected that there will be BMs on site for these activities. In addition, the appropriate biological clearance surveys will be conducted for these activities in accordance with the biological COCs.

Table 2
Compliance Status of Biology Conditions of Certification as of July 31, 2011

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-1	**DESIGNATED BIOLOGIST SELECTION AND QUALS.:** The project owner shall assign a Designated Biologist to the project. The project owner shall submit the resume of the proposed Designated Biologist, with at least three references and contact information, to the California Energy Commission Compliance Project Manager (CPM), California Department of Fish and Game (CDFG), and U.S. Fish and Wildlife Service (USFWS) for approval. The Designated Biologist must meet the following minimum qualifications: 1. Bachelor's Degree in biological sciences, zoology, botany, ecology, or a closely related field; and 2. Three years of experience in field biology or current certification of a nationally recognized biological society, such as The Ecological Society of America or The Wildlife Society; 3. At least one year of field experience with biological resources found in or near the project area; 4. Meet current USFWS Authorized Biologist criteria 32 and demonstrate familiarity with protocols and guidelines for the desert tortoise; and 5. Possess a recovery permit for desert tortoise and a California ESA Memorandum of Understanding pursuant to Section 2081(a) for desert tortoise and Mohave ground squirrel or have adequate experience and qualifications to obtain these authorizations. It is possible that two biologists may be utilized – each with an MOU for desert tortoise or MGS. In lieu of the above requirements, the resume shall demonstrate to the satisfaction of the CPM, that the proposed Designated Biologist or alternate has the appropriate training and background to effectively implement the conditions of certification.	The project owner shall submit the specified information at least 60 days prior to the start of any pre-construction site mobilization. The CPM, CDFG, and USFWS have 30 days to approve or deny proposed Designated Biologist(s). No site or related facility activities shall commence until an approved Designated Biologist is available to be on site. If a Designated Biologist needs to be replaced, the specified information of the proposed replacement must be submitted to the CPM at least 10 working days prior to the termination or release of the preceding Designated Biologist. In an emergency, the project owner shall immediately notify the CPM to discuss the qualifications and approval of a short-term replacement while a permanent Designated Biologist is proposed to the CPM for consideration.	Project Owner	At least 60 days prior to start of any pre-construction site mobilization.	Complete.	None.

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-2	**DESIGNATED BIOLOGIST DUTIES:** The project owner shall ensure that the Designated Biologist performs the following during any site-related or facility activities. The Designated Biologist may be assisted by the approved Biological Monitors but remains the contact for project owner and the CPM. 1. Advise the project owner's Construction and Operation Managers on the implementation of the biological resources conditions of certification; 2. Consult on the preparation of the Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP), to be submitted by the project owner; 3. Be available to supervise, conduct and coordinate mitigation, monitoring, and other biological resources compliance efforts, particularly in areas requiring avoidance or containing sensitive biological resources, such as special status species or their habitat; 4. Halt any and all activities in any area when determined that there would be an unauthorized adverse impact to biological resources if the activities continued or a violation of federal or state environmental laws or a violation of any environmental agreements/conditions made between the applicant and the CPM and/or the regulatory agencies; 5. Clearly mark sensitive biological resource areas, if present and inspect these areas at appropriate intervals for compliance with regulatory terms and conditions; 6. Inspect active construction areas where animals may have become trapped prior to construction commencing each day. At the end of the day, inspect for the installation of structures that prevent entrapment or allow escape during periods of construction inactivity. Periodically inspect areas with high vehicle activity (i.e., parking lots) for animals in harm's way; 7. Notify the project owner and the CPM of any non-compliance with any biological resources condition of certification; 8. Respond directly to inquiries of the CPM regarding biological resource issues;	The Designated Biologist shall submit in the Monthly Compliance Report to the CPM copies of all written reports and summaries that document biological resource compliance activities, including those conducted by Biological Monitors. If actions may affect biological resources during operation, a Designated Biologist or Biological Monitor under the supervision of the Designated Biologist shall be available for monitoring and reporting. During project operation, the Designated Biologist shall submit record summaries in the Annual Compliance Report unless their duties are ceased as approved by the CPM. Monthly and Annual Compliance Reports shall be also be submitted to CDFG and USFWS.	Project Owner & Designated Biologist	During construction include in MCR. During operations, summaries included in the ACR.	Ongoing.	None.

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-2 (cont.)	9. Maintain written records of the tasks specified above and those included in the BRMIMP. Summaries of these records shall be submitted in the Monthly Compliance Report and the Annual Report; and 10. Train the Biological Monitors as appropriate, and ensure their familiarity with the BRMIMP, Worker Environmental Awareness Program (WEAP) training and all permits.					
BIO-3	**BIOLOGICAL MONITOR SELECTION, QUALIFICATIONS, & DUTIES:** The project owner's CPM-approved Designated Biologist shall submit the resume, and at least three references and contact information, of the proposed Biological Monitors to the CPM, CDFG, and USFWS for approval. The resume shall demonstrate to the satisfaction of the CPM, the appropriate education and experience to accomplish the assigned biological resource tasks, including: • Biological Monitor(s) involved in any aspect of desert tortoise surveys or handling must meet the criteria to be considered a USFWS Authorized Biologist and demonstrate familiarity with the most recent protocols and guidelines for the desert tortoise. • Biological Monitor(s) involved in any aspect of Mohave ground squirrel surveys or handling must possess a California ESA Memorandum of Understanding pursuant to Section 2081(a) for Mohave ground squirrel or have adequate experience and qualifications to obtain this authorizations. • Biological Monitor(s) training by the Designated Biologist shall include familiarity with the conditions of certification and the Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP), Worker Environmental Awareness Program (WEAP), and all permits. • The Biological Monitors shall assist the Designated Biologist in conducting surveys and in monitoring of site mobilization activities, construction-related ground disturbance, grading, boring or trenching. The Designated Biologist shall remain the contact for the Project Owner, BLM's Authorized Officer and the CPM.	The project owner shall submit the specified information to the CPM, CDFG, and USFWS for approval at least 60 days prior to the start of any pre-construction site mobilization, and concurrent with the submittal of information required for the Designated Biologist approval process outlined in BIO-1. The CPM, CDFG, and USFWS have 30 days to approve or deny proposed Biological Monitor(s). The Designated Biologist shall submit a written statement to the CPM confirming that the individual Biological Monitor(s) have been trained including the date when training was completed. If additional biological monitors are needed during construction, the specified information shall be submitted to the CPM for approval 10 days prior to their first day of monitoring activities.	Project Owner	At least 60 days prior to start of any pre-construction site mobilization.	Ongoing.	In July, qualifications for Ron Walker as a BM were submitted and approved.

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-4	**DESIGNATED BIOLOGIST AND BIOLOGICAL MONITOR AUTHORITY:** The project owner's Construction/Operation Manager shall act on the advice of the Designated Biologist and Biological Monitor(s) to ensure conformance with the biological resources COCs. If required by the Designated Biologist and Biological Monitor(s), project owner's construction/operation manager shall halt all site mobilization, ground disturbance, grading, boring, trenching, and operation activities in areas specified by the Designated Biologist. The Designated Biologist shall: 1. Halt any and all activities in any area when determined that there would be an unauthorized adverse impact to biological resources if the activities continued or a violation of federal or state environmental laws or a violation of any environmental agreements/conditions made between the applicant and the CPM and/or the regulatory agencies; 2. Inform the project owner and the Construction/Operation Manager when to resume activities; and 3. Notify the CPM if there is a halt of any activities, and advise the CPM of any corrective actions that have been taken, or will be instituted, as a result of the work stoppage. 4. If the Designated Biologist is unavailable for direct consultation, the Biological Monitor shall act on behalf of the Designated Biologist. It is expected that the Designated Biologist will be onsite during construction or otherwise available by phone.	The project owner shall ensure that the Designated Biologist or Biological Monitor notifies the CPM immediately (and no later than the following morning of the incident, or Monday morning in the case of a weekend) of any non-compliance or a halt of any site mobilization, ground disturbance, grading, construction, and operation activities. The project owner shall notify the CPM of the circumstances and actions being taken to resolve the problem. Whenever corrective action is taken by the project owner, a determination of success or failure will be made by the CPM within five working days after receipt of notice that corrective action is completed, or the project owner will be notified by the CPM that coordination with other agencies will require additional time before a determination can be made.	Project Owner, Designated Biologist, or Biological Monitor	As-needed. Immediate notification and no later than the morning following the incident, or Monday morning in the case of a weekend.	Ongoing.	None
BIO-5	**WEAP:** The project owner shall develop and implement a CPM-approved WEAP in which each of its employees, as well as employees of contractors and subcontractors who work on the project site or any related facilities during site mobilization, ground disturbance, grading, construction, operation, and closure are informed about sensitive biological	At least 45 days prior to the start of any pre-construction site mobilization, the project owner shall provide to the CPM the proposed WEAP	Project Owner & Designated Biologist	**Precon:** At least 45 days prior to any pre-construction site mobilization **Construction, Operations and**	Ongoing.	The WEAP was finalized in March 2011. WEAP trainings occurred on July 5, 14, and 31, 2011. Documentation of this

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-5 (cont.)	resources associated with the project. The WEAP must: 1. Be developed by or in consultation with the Designated Biologist and consist of an on-site or training center presentation in which supporting written material and electronic media is made available to all participants; 2. Discuss the locations and types of sensitive biological resources on the project site and adjacent areas, if present; 3. Present the reasons for protecting these resources; 4. Present the meaning of various temporary and permanent habitat protection measures as necessary; 5. Discuss penalties for violation of applicable LORS (e.g., federal and state endangered species acts); 6. Identify whom to contact if there are further comments and questions about the material discussed in the program; and 7. Include a training acknowledgment form to be signed by each worker indicating that they received training and shall abide by the guidelines. The specific program can be administered by a competent individual(s) acceptable to the Designated Biologist.	and all supporting written materials and electronic media prepared or reviewed by the Designated Biologist and a resume of the person(s) administering the program. The CPM shall review and provide written comments within 15 days of receipt of the WEAP. The project owner shall provide in the Monthly Compliance Report the number of persons who have completed the training in the prior month and a running total of all persons who have completed the training to date. At least 10 days prior to site and related facilities mobilization submit two copies of the CPM-approved materials. Training acknowledgement forms signed during construction shall be kept on file by the project owner for a period of at least 6 months after the start of commercial operation. During project operation, signed statements for operational personnel shall be kept on file for 6 months following the termination of an individual's employment.		**Closure:** Administer training within 1 week of arrival to any new personnel. **Construction**: File training acknowledgement forms at least 6 months after the start of commercial operation. **Operation:** File signed training acknowledgement forms for 6 months following termination of an individual's employment.		training is included in Attachment 7 of the MCR. 81 individuals received WEAP training as of July 31, 2011.
BIO-6	**BRMIMP:** The project owner shall develop a BRMIMP and	The project owner shall	Project	Draft BRMIMP at	Complete.	The BRMIMP was

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
	submit two copies of the proposed BRMIMP to the CPM (for review and approval) and to CDFG and USFWS (for review and comment) if applicable and shall implement the measures identified in the approved BRMIMP. A copy of the BRMIMP shall be kept onsite and made readily available to biologists, regulatory agencies, the project owner, contractors, and subcontractors as needed. The BRMIMP shall be prepared in consultation with the Designated Biologist and shall identify: 1. All biological resource mitigation, monitoring, and compliance measures proposed and agreed to by the project owner; 2. All applicant-proposed mitigation measures presented in the Application for Certification, data request responses, and workshop responses; 3. All biological resource conditions of certification identified as necessary to avoid or mitigate impacts; 4. All biological resource mitigation, monitoring, and compliance measures required in federal agency terms and conditions, such as those provided in the Biological Opinion; 5. All biological resource mitigation, monitoring, and compliance measures required in local agency permits, such as site grading and landscaping requirements; 6. All sensitive biological resources to be impacted, avoided, or mitigated by project construction, operation, and closure; 7. All required mitigation measures for each sensitive biological resource; 8. A detailed description of measures that shall be taken to avoid or mitigate temporary disturbances from construction activities; 9. All locations on a map, at an approved scale, of sensitive biological resource areas subject to disturbance and areas requiring temporary protection and avoidance during construction; 10. Aerial photographs, at an approved scale, of all areas to be disturbed during project construction activities — one set prior to any site (and related facilities) mobilization disturbance and one set subsequent to completion of	provide the specified document at least 45 days prior to start of any pre-construction site mobilization. The CPM, in consultation with other appropriate agencies, will determine the BRMIMP's acceptability within 30 days of receipt. If there are any permits that have not yet been received when the BRMIMP is first submitted, these permits shall be submitted to the CPM within 5 days of their receipt, and the BRMIMP shall be revised or supplemented to reflect the permit condition within 10 days of their receipt by the project owner. Ten days prior to pre-construction site mobilization the revised BRMIMP shall be resubmitted to the CPM. Site mobilization will not occur without an approved BRMIMP. The project owner shall notify the CPM no less than five working days before implementing any modifications to the approved BRMIMP to obtain CPM approval. Any changes to the approved BRMIMP must also be approved by the	Owner & Designated Biologist	least 45 days prior to construction-related ground disturbance. Permits shall be submitted within 5 days of their receipt, and the BRMIMP shall be revised or supplemented to reflect the permit condition with 10 days of their receipt.		approved in March 2011.

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-6 (cont.)	project construction. Include planned timing of aerial photography and a description of why times were chosen; 11. Duration for each type of monitoring and a description of monitoring methodologies and frequency; 12. Performance standards to be used to help decide if/when proposed mitigation is or is not successful; 13. All performance standards and remedial measures to be implemented if performance standards are not met; 14. A preliminary discussion of biological resources-related facility closure measures; and 15. A process for proposing plan modifications to the CPM and appropriate agencies for review and approval.	CPM in consultation with other appropriate agencies to ensure no conflicts exist. Implementation of BRMIMP measures will be reported in the Monthly Compliance Reports by the Designated Biologist (i.e., survey results, construction activities that were monitored, species observed). Within 30 days after completion of project construction, the project owner shall provide to the CPM, for review and approval, a written construction closure report identifying which items of the BRMIMP have been completed, a summary of all modifications to mitigation measures made during the project's site mobilization, ground disturbance, grading, and construction phases, and which mitigation and monitoring items are still outstanding.				
BIO-7	The project owner shall implement the following measures during construction and operation to manage their project site and related facilities in a manner to avoid or minimize impacts to the local biological resources: **1. LIMIT DISTURBANCE AREAS:** The boundaries of all areas to be temporarily or permanently disturbed (including staging areas, access roads, and sites for temporary placement of spoils) shall be delineated with stakes and flagging prior to construction activities in consultation with the Designated Biologist. Spoils shall be stockpiled in disturbed areas, which	All mitigation measures and their implementation methods shall be included in the BRMIMP. Implementation of the measures will be reported in the Monthly Compliance Reports by the Designated Biologist. Within 30 days after completion of project	Project Owner, Designated Biologist, and/or Biological Monitor	Ongoing	Ongoing.	During July 2011, geotechnical investigations occurred within the MSP. In July, bird nesting clearance surveys and DT fence inspections were conducted. No Notification or Non-Compliance Reports were issued in July

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-7 (cont.)	do not provide habitat for special status species. Parking areas, staging, and disposal site locations shall similarly be located in areas without native vegetation or special-status species habitat. All disturbances, vehicles, and equipment shall be confined to the flagged areas. **2. MINIMIZE ROAD IMPACTS:** New and existing roads that are planned for construction, widening, or other improvements shall not extend beyond the flagged impact area. All vehicles passing or turning around would do so within the planned impact area or in previously disturbed areas. Where new access is required outside of existing roads (e.g. new spur roads) or the construction zone, the route will be clearly marked (i.e., flagged and/or staked) prior to the onset of construction. **3. MINIMIZE TRAFFIC IMPACTS:** Vehicular traffic during Project construction and operation shall be confined to existing routes of travel to and from the Project site, and cross country vehicle and equipment use outside designated work areas shall be prohibited. The speed limit shall not exceed 25 miles per hour on Harper Lake Road and within fenced areas that have been cleared of tortoises and other wildlife. The speed limit shall not exceed 15 miles per hour within unfenced areas and secondary unpaved access roads. **4. MONITOR DURING CONSTRUCTION:** The Designated Biologist or Biological Monitor shall be present at the construction site during all project activities that have potential to disturb soil, vegetation, and wildlife. The USFWS-approved Designated Biologist or Biological Monitor shall closely monitor vegetation removal and grading activities to prevent wildlife injury or mortality. **5. MINIMIZE IMPACTS OF TRANSMISSION/PIPELINE ALIGNMENTS, ROADS, AND STAGING AREAS:** Staging areas for construction on the plant site shall be within the area that has been fenced with DT exclusion fencing and cleared. Temporary disturbance areas, if necessary, shall occur within the project	construction, the project owner shall provide to the CPM, for review and approval, a written construction termination report identifying how measures have been completed. Additional copies shall be provided to CDFG and USFWS.				2011.

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BIO-7 (cont.)	site and shall be designed, installed, and maintained with the goal of minimizing disturbance. Transmission lines and all electrical components shall be designed, installed, and maintained in accordance with the Avian Power Line Interaction Committee's (APLIC's) Suggested Practices for Avian Protection on Power Lines (APLIC 2006) and Mitigating Bird Collisions with Power Lines (APLIC 2004) to reduce the likelihood of bird electrocutions and collisions. **6. AVOID USE of TOXIC SUBSTANCES:** Road surfacing and sealants as well as soil bonding and weighting agents used on unpaved surfaces shall be non-toxic to wildlife and plants. **7. MINIMIZE LIGHTING IMPACTS:** Facility lighting shall be designed, installed, and maintained to prevent side casting of light towards the project boundaries and the Harper Dry Lake marsh. Lighting shall be shielded, directional, and at the lowest intensity required for activity. **8. AVOID VEHICLE IMPACTS TO DESERT TORTOISE:** Parking and storage shall occur within DT exclusion fencing to the extent feasible. No vehicles or construction equipment parked outside the fenced area shall be moved prior to an inspection of the ground beneath the vehicle for the presence of DT. During construction, a Biological Monitor shall drive along project access roads, particularly Harper Lake Road at least every three hours during the DT active period (April through May and September through October) looking for DT or other vulnerable wildlife within the roadway. Outside of the active period, roads shall be monitored at least twice a day in advance of peak AM and PM traffic periods. During operation, employees shall report any DT sightings along roadways to the Biological Monitor. If a DT is observed in the roadway or beneath a parked vehicle, it will be left to move on its own or a Biological Monitor may remove and transfer the animal to a safe location if temperatures are within the appropriate range as identified in the Final Desert Tortoise Clearing and Translocation Plan.					

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-7 (cont.)	**9. AVOID WILDLIFE PITFALLS:** At the end of each workday the DB shall ensure that all potential wildlife pitfalls (trenches, bores, and other excavations) outside of the permanently fenced areas have been backfilled. If backfilling is not feasible, all trenches, bores, and other excavations shall be slope at 3:1 ratio at the ends to provide escape ramps, or covered completely to prevent wildlife access, or fully enclosed with tortoise-exclusion fencing. All trenches, bores, and other excavations outside the areas fenced with DT exclusion fencing shall be inspected at the beginning of each workday, periodically throughout, and at the end of each workday by the Designated Biologist. Should a tortoise or other wildlife become trapped, the Designated Biologist or Biological Monitor shall remove and relocate the individual to a safe location. Any wildlife encountered during the course of construction shall be allowed to leave the construction area unharmed. **10. AVOID ENTRAPMENT OF WILDLIFE:** Any construction pipe, culvert, or similar structure with a diameter greater than three inches, stored less than eight inches above ground for one or more days/nights, shall be inspected for wildlife before the material is moved, buried, or capped. As an alternative, all such structures may be capped before being stored, or placed on pipe racks. **11. REPORT WILDLIFE INJURY and MORTALITY:** Report all inadvertent deaths of sensitive species to the appropriate project representative, including road kill. Species name, physical characteristics of the animal (sex, age class, length, weight), and other pertinent information shall be noted and reported in the MCRs. Injured animals shall be reported to the CDFG or USFWS and the CPM and the project owner shall follow instructions that are provided by CDFG or USFWS. If CDFG or USFWS cannot be immediately reached, consideration should be given to taking the animal to a veterinary hospital. If any golden eagles area recovered dead, they shall be sent to the National Eagle Repository after the cause of death has been investigated.					

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
	12. MINIMIZE STANDING WATER: Water applied to dirt roads and construction areas (trenches or spoil piles) for dust abatement shall use the minimal amount needed to meet safety and air quality standards in an effort to prevent the formation of puddles, which could attract DT and common ravens, and other wildlife to construction sites. A Biological Monitor shall patrol these areas to ensure water does not puddle and attract DT, common ravens, and other wildlife to the site and shall take appropriate action to reduce water application where necessary.					
BIO-7 (cont.)	**13. MINIMIZE HAZARDOUS MATERIALS SPILLS:** All vehicles and equipment shall be maintained in proper working condition to minimize the potential for fugitive emissions of motor oil, antifreeze, hydraulic fluid, grease, or other hazardous materials. The Designated Biologist shall be informed of any hazardous spills immediately as directed in the Project Hazardous Materials Plan. Hazardous spills shall be immediately cleaned up and the contaminated soil properly disposed of at a licensed facility. Servicing of construction equipment shall take place only at a designated area. Service/maintenance vehicles shall carry a bucket and pads to absorb leaks or spills.					
	14. WORKER GUIDELINES: During construction all trash and food-related waste shall be placed in self-closing containers and removed weekly from the site. Workers shall not feed wildlife or bring pets to the Project site. Except for law enforcement personnel, no workers or visitors to the site shall bring firearms or weapons.					
	15. AVOID SPREAD OF NOXIOUS WEEDS: The project owner shall implement the following Best Management Practices during construction and operation to prevent the spread and propagation of noxious weeds: A. Limit the size of any vegetation and/or ground disturbance to the absolute minimum and limit ingress and egress to defined routes; B. Reestablish vegetation quickly on temporarily disturbed areas, including pipelines, transmission lines, and staging areas (BIO-9);					

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-7 (cont.)	C. Prevent the spread of non-native plants via vehicular sources by implementing Trackclean™ or other method of vehicle cleaning for vehicles coming and going from construction sites. Earth-moving equipment and construction vehicles shall be cleaned within an approved area or commercial facility prior to transport to the construction site. The number of cleaning stations shall be limited and weed control/herbicide application shall be used at the cleaning station(s); D. Use only weed-free straw, hay bales, and seed for erosion control and sediment barrier installations; E. Invasive non-native species shall not be used in landscaping plans and erosion control; and, F. Monitor and rapidly implement control measures to ensure early detection and eradication of weed invasions. **16. IMPLEMENT EROSION CONTROL MEASURES:** Standard erosion control measures shall be implemented for all phases of construction and operation. All disturbed soils and roads within the project site shall be stabilized to reduce erosion potential, both during and following construction. Areas of disturbed soils (access and staging areas) with slopes toward an ephemeral drainage or Harper Dry Lake shall be stabilized to reduce erosion potential. **17. MONITOR GROUND-DISTURBING ACTIVITIES PRIOR TO SITE MOBILIZATION:** If ground-disturbing activities are required prior to site mobilization, such as for geotechnical borings or hazardous waste evaluations, a Designated Biologist or Biological Monitor shall be present to monitor any actions that could disturb soil, vegetation, or wildlife. Actions not included in the project description are prohibited.					

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-8	**PRE-CONSTRUCTION NEST SURVEYS AND IMPACT AVOIDANCE AND MINIMIZATION MEASURES FOR MIGRATORY BIRD:** Pre-construction nest surveys shall be conducted if construction activities will occur from February 1 through August 1. At all times of the year, noise generating activities shall be limited during early morning and evening to avoid impacts to birds protected under the Migratory Bird Treaty Act. The Designated Biologist or Biological Monitor shall perform surveys in accordance with the following guidelines: 1. Surveys shall cover all potential nesting habitat in the project site and within 500 feet of the boundaries of the plant site as well as any areas potentially exposed to noise levels above 60 dBA; 2. At least two pre-construction surveys shall be conducted, separated by a minimum 10-day interval. One of the surveys needs to be conducted within the 10-day period preceding initiation of construction activity. Additional follow-up surveys may be required if periods of construction inactivity exceed three weeks in any given area, an interval during which birds may establish a nesting territory and initiate egg laying and incubation; 3. If active nests are detected during the survey, a no-disturbance buffer zone (protected area surrounding the nest, the size of which is to be determined by the Designated Biologist in consultation with CDFG and USFWS) and monitoring plan shall be developed. Nest locations shall be mapped using GPS technology and submitted, along with a weekly report stating the survey results, to the CPM; and 4. The Designated Biologist or Biological Monitor shall monitor the nest until he or she determines that nestlings have fledged and dispersed; activities that might, in the opinion of the Designated Biologist in consultation with the CPM, disturb nesting activities (e.g., excessive noise above 60 dBA), shall be prohibited within the buffer zone until such a determination is made.	At least 10 days prior to the start of any pre-construction site-mobilization, the project owner shall provide the CPM a letter-report describing the findings of the pre-construction nest surveys, including the time, date, and duration of the survey; identity and qualifications of the surveyor(s); and a list of species observed. If active nests are detected during the survey, the report shall include a map or aerial photo identifying the location of the nest and shall depict the boundaries of the no-disturbance buffer zone around the nest. Additional copies shall be provided to CDFG and USFWS.	Project Owner, Designated Biologist & Biological Monitor	If construction is to occur from February 1 through August 1, prior to start of pre-construction site mobilization.	Ongoing.	Beginning July 24, pre-construction nest surveys were completed just before the geotechnical investigations, and were completed by July 29th. July 31 marked the end of the bird nesting survey window of February 1 through July 31, for 2011. No bird nests were found during the July bird nest surveys.

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BIO-9	**GOLDEN EAGLE TERRITORY - SPECIFIC MANAGEMENT PLAN:** In addition to the breeding season golden eagle inventory conducted in the spring of 2010, a non-breeding season golden eagle inventory survey shall be conducted in late summer/early winter. If an occupied golden eagle territory is identified within 10 miles of the project site (except for the territory identified at Black Mountain in April 2010) during breeding or non-breeding inventory surveys for the MSP, the project owner shall prepare and implement a Golden Eagle Territory-Specific Management Plan. This plan shall: 1. Include measures to avoid and minimize disturbance (as defined in 50 CFR 22.3) to golden eagles during project construction and operation activities. Measures may include limited operating periods or no-disturbance buffers within which certain potentially disruptive project activities shall not be conducted, or modification of certain project activities to reduce the potential for disturbance to eagles. 2. Identify monitoring actions and schedule for their implementation to ensure avoidance and minimization of disturbance. Monitoring and reporting shall be conducted pre- and post activity per Interim Golden Eagle Inventory and Monitoring Protocols (Pagel et al. 2010).	The project owner shall submit a report to the CPM, CDFG, and USFWS within 30 days of completion of breeding-season golden eagle surveys. This report shall document the results of the inventory and monitoring as described in Pagel et al. 2010. The project owner shall submit a report to the CPM, CDFG, and USFWS within 30 days of completion of non-breeding season golden eagle surveys. This report shall document the results of the protocol surveys as described in Pagel et al. 2010 or more recent guidance by USFWS (e.g., Pagel et al., in prep). At least 30 days prior to the start of any pre-construction site mobilization, the project owner shall provide the CPM, CDFG, and USFWS with the final version of the Golden Eagle Territory-Specific Management Plan, based on breeding-season inventory results. This final Plan shall have been reviewed and approved by the CPM in consultation with USFWS. If	Project Owner	Survey report within 30 days of completion of breeding and non-breeding surveys. Submit the final version of the Golden Eagle Territory-Specific Management Plant at least 30 days prior to the start of any pre-construction site mobilization.	Complete.	Based on email correspondence from USFWS on January 28, 2010, a Golden Eagle Territory-Specific Management Plan is not required.

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BIO-9 (cont.)		disturbance to eagles would not occur and a Plan is not warranted, a letter from USFWS documenting this determination shall be submitted to the CPM at least 10 days prior to the start of any pre-construction site mobilization. An addendum to the Plan may be required by USFWS based on non-breeding season survey results. If required, a final addendum, which has been reviewed and approved by the CPM in consultation with USFWS, shall be submitted to the CPM within 90 days of completion of non-breeding season golden eagle surveys.				
BIO-10	**DOCUMENTATION OF BALD AND GOLDEN EAGLE ACT COMPLIANCE:** The project owner shall provide documentation to the CPM that the project is in compliance with the Bald and Golden Eagle Protection Act (Title 16, United States Code, sections 668-668d).	No less than 10 days prior to the start of any pre-construction site mobilization, the project owner shall submit to the CPM documentation that the project is in compliance with the Bald and Golden Eagle Protection Act (Title 16, United States Code, sections 668-668d). This shall include documentation from the USFWS in the form of written or electronic	Project Owner	No less than 10 days prior to the start of any pre-construction site mobilization.	Complete.	Confirmation of compliance with the Bald and Golden Eagle Protection Act was provided by USFWS via email on March 11, 2011, and is included in the BRMIMP.

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-10 (cont.)		transmittal indicating the status of the permit, if required, and any follow-up actions required by the project owner. Any additional actions shall be added to the BRMIMP and implemented.				
BIO-11	**DESERT TORTOISE EXCLUSION FENCING, CLEARANCE SURVEYS, AND TRANSLOCATION PLAN:** A DT Exclusion Fencing, Clearance Surveys, and Translocation Plan (DT Plan) shall be developed in consultation with the CPM, CDFG, and USFWS. This plan shall include detailed measures to avoid and minimize impacts to DT in and near the construction areas as well as methods for clearance surveys, fence installation, tortoise handling; artificial burrow construction, egg handling, and other procedures, which shall be consistent with those described in the USFWS DT Field Manual or more current guidance provided by CDFG and USFWS. At a minimum, the following measures shall be included in the plan and implemented by the project owner to manage their construction site, and related facilities, in a manner to avoid, minimize, or mitigate impacts to DT. 1. **FENCE INSTALLATION:** Prior to ground disturbance, the entire project site shall be fenced with DT exclusion fence. To avoid impacts to DT during fence construction, the proposed fence alignment shall be flagged and the alignment surveyed within 24 hours prior to fence construction. Surveys shall be conducted by the Designated Biologist using techniques approved by the USFWS and CDFG. Biological Monitors may assist the Designated Biologist under his or her supervision. These surveys shall provide 100% coverage of all areas to be disturbed during fence construction and an additional transect along both sides of the fence line. This fence line transect shall cover an area approximately 90 feet wide centered on the fence alignment. Transects shall be no greater than 30 feet	At least 45 days prior to the start of any pre-construction site mobilization, the project owner shall provide the CPM with the final version of the Desert Tortoise Translocation Plan that has been approved by Energy Commission staff, USFWS, and CDFG. The CPM will determine the plan's acceptability within 15 working days of receipt of the final plan. All modifications to the approved final Desert Tortoise Translocation Plan must be made only after approval by the Energy Commission staff, USFWS, and CDFG. The project owner shall notify the CPM no fewer than five working days before implementing any CPM-approved modifications to the Translocation Plan. Within 30 days of completing of desert tortoise clearance surveys	Project Owner, Designated Biologist & Biological Monitor	Submit Final Desert Tortoise Translocation Plan at least 45 days prior to the start of any pre-construction site mobilization. Submit report within 30 days of completing of desert tortoise clearance surveys.	Ongoing.	In July 2011, DT exclusion fence inspections occurred on July 5, 14, and 31. The July inspections did not reveal any breaches in the fence.

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-11 (cont.)	apart. All DT burrows, and burrows constructed by other species that might be used by DTs, shall be examined to assess occupancy with USFWS approved protocol. A. Timing, Supervision of Fence Installation. The exclusion fencing shall be installed in any area subject to disturbance prior to the onset of site clearing and grubbing in that area. The fence installation shall be supervised by the Designated Biologist and monitored by the Biological Monitors to ensure the safety of any tortoise present. B. Fence Material and Installation. The permanent tortoise exclusionary fencing shall consist of galvanized hard wire cloth, 1- by - inch mesh sunk 12 inches into the ground, and 24 inches above ground (refer to parameters for USFWS-approved tortoise exclusion fencing at www.fws.gov/ventura/speciesinfo/protocols_guidelines). For temporary exclusion fencing, a "folded bottom" technique shall be implemented. This method follows the same guidelines as installation of permanent fencing except instead of burying the bottom 12 inches of fencing, it is bent at an approximately 90-degree angle (to follow the contour of the ground) and spikes or other retaining methods are driven into the ground every two linear feet in such a manner as to "anchor" the bottom of the fence. This method eliminates the need for trenching, which for short-term temporary impacts may be more beneficial to the recovery of the landscape, and thus the species. C. Security Gates. Security gates shall be designed with minimal ground clearance to deter ingress by tortoises. The gates shall remain closed except during vehicle passage and may be electronically activated to open and close immediately after the vehicle(s) have entered or exited to prevent extended periods with open gates, which might lead to a tortoise entering.	the Designated Biologist shall submit a report to the CPM, USFWS, and CDFG describing how each of the mitigation measures have been satisfied. The report shall include the desert tortoise survey results, capture and release locations of any translocated desert tortoises, and any other information needed to demonstrate compliance with the measures described above.				

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-11 (cont.)	D. Storm water Drainage Fencing. The onsite storm water drainage channels, including the headwalls, outlet, and road crossings, shall be permanently fenced to ensure exclusion of DT during MSP operation. E. Fence Inspections. Following installation of the DT exclusion fencing for the permanent site and the storm water drainage fencing and temporary fencing (if required), the fencing shall be regularly inspected. Permanent fencing shall be inspected monthly and during/immediately following all major rainfall events. Any damage to the fencing shall be temporarily repaired immediately to keep tortoises out of the site, and permanently repaired within two days of observing damage. Inspections of permanent site fencing shall occur for the life of the Project. Temporary fencing must be inspected immediately following major rainfall events. All temporary fencing shall be repaired immediately upon discovery and, if the fence may have permitted tortoise entry while damaged, the Designated Biologist shall inspect the area enclosed by the fence for tortoise. **2. DESERT TORTOISE CLEARANCE SURVEYS:** Following construction of the tortoise exclusionary fencing around the Plant site, all fenced areas shall be cleared of tortoises by the Designated Biologist, who may be assisted by Biological Monitors. A minimum of two 100 percent coverage protocol clearance surveys with negative results must be completed and these must coincide with heightened desert tortoise activity from April through May and September through October. Non-protocol clearance surveys may be conducted in areas of certainly unsuitable habitat (e.g., developed) with prior approval of specific areas by USFWS and CDFG (these proposed areas shall be identified in the Desert Tortoise Plan). Clearance survey transects shall be followed as					

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-11 (cont.)	described in the Final Desert Tortoise Plan. Additional clearance survey guidelines are provided in the USFWS *Desert Tortoise Field Manual* (www.fws.gov/ventura/ speciesinfo/protocols_guidelines) (USFWS 2009). <u>Translocation Of Desert Tortoise:</u> If DT are detected during clearance surveys within the project impact area, the Designated Biologist shall safely translocate the tortoise the shortest possible distance to the nearest suitable habitat. Any handling efforts shall be in accordance with techniques described in the final Desert Tortoise Plan., which shall be consistent with the USFWS *Desert Tortoise Field Manual* (www.fws. gov/ventura/speciesinfo/protocols_guidlines) (USFWS 2009). If a visibly diseased tortoise is encountered on site, procedures shall be implemented in accordance with the approved final Desert Tortoise Plan. **3. BURROW INSPECTION:** All potential DT burrows within the fenced area shall be searched for presence. To prevent reentry by a tortoise or other wildlife, all burrows shall be collapsed once absence has been determined, in accordance with the final DT Plan. Immediately following excavation and if environmental conditions warrant immediate translocation, tortoises excavated from burrows shall be translocated to unoccupied natural or artificial burrows within the location approved by USFWS and CDFG per the final DT Plan. **4. BURROW EXCAVATION:** Burrows inhabited by tortoise shall be excavated by the Designated Biologist using hand tools, and then collapsed or blocked to prevent re-occupation, in accordance with the final DT Plan. If excavated during May through July, the Designated Biologist shall search for DT nest/eggs. All DT handling and removal, and burrow excavation, including nest, shall be conducted by the Designated Biologist in accordance with the USFWS *Desert Tortoise Field Manual* (ww.fws.gov/Ventura/species info/protocols guidelines).					

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-11 (cont.)	5. **MONITORING DURING CLEARING:** Following the installation of exclusionary fencing and after ensuring desert tortoise are absent from the project site, heavy equipment shall be allowed to enter the project site to perform earthwork such as clearing, grubbing, leveling, and trenching. A Biological Monitor shall be on site at all times during initial clearing and grading activities. Should a tortoise be discovered, it shall be relocated as described above in accordance with the final DT Plan. 6. **REPORTING:** The Designated Biologist shall record the following information for any DT handled: a) the locations (narrative and maps) and dates of observation; b) general condition and health, including injuries, state of healing and whether DT voided their bladders; c) location moved from and location moved to (using GPS technology); d) gender, carapace length, and diagnostic markings (i.e., identification numbers or marked lateral scutes); e) ambient temperature when handled and released; and f) digital photograph of each handled DT. DT moved from within Project areas shall be marked and monitored in accordance with the Desert Tortoise Relocation/Translocation Plan. Digital photographs of the carapace, plastron, and fourth scute shall be taken. Scutes shall not be notched for identification.					
BIO-12	**MOHAVE GROUND SQUIRREL CLEARANCE SURVEYS:** The project owner shall implement the following measure to manage their construction site, and related facilities, in a manner to avoid or minimize impacts to Mohave ground squirrels (MGS). 1. **CLEARANCE SURVEY:** After the installation of the DT exclusion fence and immediately prior to any ground disturbance, the Designated Biologist shall examine the construction disturbance area for MGS and their burrows. The survey shall provide 100 percent coverage of suitable habitat within the project site (undisturbed desert saltbush scrub, disturbed desert saltbush scrub,	The Designated Biologist shall submit a report to the CPM and CDFG documenting results of the clearance surveys and records of capture of MGS if applicable. The report is required within 30 days of completion of the MGS clearance surveys.	Project Owner, Designated Biologist & Biological Monitor	Prior to ground disturbance activities and after DT exclusion fencing has been installed. Report with within 30 days of completion of the MGS clearance surveys.	Complete	Complete.

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-12 (cont.)	disturbed desert saltbush scrub re-growth, fallow agriculture- saltbush regrowth. A. If potentially occupied burrows are identified, an attempt shall be made to trap and relocate the individual(s). Potentially occupied burrows shall be fully excavated by hand. B. Trapping, relocation, and MGS burrow excavation shall only be conducted by individual(s) possessing and Memorandum of Understanding (MOU) with CDFG for such activities. **2. RECORDS of CAPTURE.** If MGS are captured via trapping or burrow excavation, the Designated Biologist shall maintain a record of each MGS handled, including: a) the locations (Global Positioning System [GPS] coordinates and maps) and time of capture and/or observation as well as release; b) sex; c)approximate age (adult/juveniles); d) weight; e) general condition and health, noting all visible conditions including gait and behavior, diarrhea, emaciation, salivation, hair loss, ectoparasites, and injuries; and f) ambient temperature when handled and released. **3. RELOCATION.** Any MGS captured via trapping or burrow excavation shall be relocated to suitable habitat adjacent to the project site, which provides conditions suitable for the long-term survival of relocated MGS.					
BIO-13	**BURROWING OWL IMPACT AVOIDANCE, MINIMIZATION, AND COMPENSATION MEASURES:** Prior to preconstruction surveys, a Burrowing Owl Monitoring and Mitigation Plan (Burrowing Owl Plan) shall be developed by the project owner in consultation with the CPM and CDFG. This plan shall include detailed measures to avoid and minimize impacts to burrowing owls in and near the construction areas (if indentified during surveys) and shall be consistent with CDFG guidance (CDFG 1995). In addition, the plan shall identify the optimal time to concurrently relocate both desert tortoise and burrowing owl. At a minimum, the following measures shall be included in the plan and implemented by the project owner to manage their construction site, and related facilities, in a manner to	At least 45 days prior to start of any pre-construction site mobilization, the project owner shall provide the CPM and CDFG with the final version of the Burrowing Owl Monitoring and Mitigation Plan that has been reviewed and approved by the CPM in consultation with CDFG. An addendum to the plan,	Designated Biologist & Biological Monitor	Pre-construction surveys concurrent with DT clearance surveys. Pre-construction survey results, (e.g., number of owls identified onsite) and the CDFG-approved amount of compensatory mitigation shall be submitted within 10	Ongoing.	The final Burrowing Owl Mitigation and Monitoring Plan was submitted in March 2011 (AECOM 2011). In July 2011 during the pre-construction nesting bird surveys and the fence inspections, no WBO or their sign was detected.

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-13 (cont.)	avoid, minimize, or mitigate impacts to breeding and foraging burrowing owls. 1. **PRE-CONSTRUCTION SURVEYS.** The Designated Biologist shall conduct pre-construction surveys for burrowing owls within the project site and a 160-foot buffer. These surveys shall be conducted concurrent with the DT clearance surveys, to the maximum extent possible. Pre-construction surveys shall be conducted prior to the nesting season (February 1 through August 31) and all burrowing owls will be passively relocated using one-way trap doors. Once the Designated Biologist has verified that all burrowing owls have vacated an occupied burrow, the Designated Biologist shall collapse the burrow, preventing re-occupation. A. If ground disturbance cannot be avoided in areas where nesting burrowing owls are active, a 250-foot exclusion area around occupied burrows will be flagged and this area will not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist verifies through non-invasive methods that either; (1) the birds have not begun egg-laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival. The exclusion area shall remain connected to natural area(s) to the extent possible, to avoid completely surrounding the owl with construction activities and/or equipment. 2. **ARTIFICIAL BURROW INSTALLATION.** Prior to any ground-disturbing activities, the project owner shall install five artificial burrows for each identified BO burrow within the project area that would be destroyed, within the approved compensatory habitat area. The Designated Biologist shall survey the site selected for artificial burrow construction to verify that such construction will not affect DT or MGS or existing BO colonies in the relocation area. Installation of the artificial	which includes the pre-construction survey results, (e.g., number of owls identified onsite) and the CDFG-approved amount of compensatory mitigation, shall be submitted within 10 days of completing the burrowing owl pre-construction surveys. The CPM will determine the acceptability of the Plan and addendum within 15 days of their receipt. All modifications to the approved Plan may be made by the CPM after consultation with CDFG. The project owner shall notify the CPM no less than five working days before implementing any CPM-approved modifications to the Burrowing Owl Monitoring and Mitigation Plan.		days of completing the burrowing owl pre-construction surveys. Burrow installation prior to ground disturbance activities. Passive relocation surveys will be conducted for two years with surveys occurring in the spring and in the winter.		

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BIO-13 (cont.)	burrows shall occur after baseline surveys of the relocation area and prior to ground disturbance or heavy equipment staging. Design of the artificial burrows shall be consistent with CDFG guidelines and shall be approved by the CPM in consolation with CDFG. **3. PASSIVE RELOCATION.** Prior to passive relocation, any owl that will be relocated shall be color banded with air-craft aluminum bands in accordance with the guidance provided by USGS bird banding lad to monitor relocation success. Color banding shall not be conducted during ht breeding season. During the non-breeding season, owls would be given a minimum of three weeks to become familiar with the new artificial burrows, after which eviction of the owls with the project site could begin. Use of one way doors would be used to facilitate passive relocation of owls. A. Monitoring and Success Criteria. The Designated Biologist shall survey the compensatory mitigation area and suitable habitat within 600-meter radius from the project site to assess use of the artificial burrows by owls and relocation success after exclusion from the project area. Surveys shall be conducted using methods consistent with Phase II and Phase III California Burrowing Owl Consortium guidelines. Surveys shall be conducted two times in the spring and two times in the winter following eviction. This second survey within a season shall be conducted within 30 days of the first. Surveys shall continue for two years to encompass a total of two spring seasons (4 total spring surveys) and two winter seasons (4 total winter surveys). Surveys and monitoring shall be conducted using non-invasive methods (i.e., high-powered binoculars, spotting scope, or camera). Owls shall not be trapped or otherwise handled to read the color band. If survey results indicate BOs are not nesting within the surveys area, remedial actions may be developed and implemented in consultation with the CPM, CDFG, and USFWS to					

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-13 (cont.)	correct conditions at the site that might be preventing owls from nesting there. A report describing survey results and any remedial actions taken shall be submitted to the CPM, CDFG and USFWS no later than January 31 of each year for two years. **4. PRESERVE AND MANAGE COMPENSATORY HABITAT**. For each individual owl or pair identified on the project site during pre-construction surveys, off-site mitigation shall be required as described in the California Burrowing Owl Consortium guidelines (CBOC 1993). Determining which ratio to apply depends on whether the proposed compensatory habitat is occupied or unoccupied. A. Replacement of occupied habitat with occupied habitat: 1.5 times 6.5 (9.75) acres per pair of single bird B. Replacement of occupied habitat with suitable unoccupied habitat: 3 times 6.5 (19.5) acres per pair of single bird. Compensatory habitat shall be suitable for occupation by burrowing owls and preserved and managed in perpetuity for this purpose. Compensatory mitigation may be within the 118.2 acres proposed for desert tortoise and MGS (refer to BIO-15), provided that it also meets the criteria for suitable burrowing owl habitat. The compensatory habitat shall be managed for the benefit of burrowing owls, with the specific goals of: A. Maintaining the functionality of artificial and natural burrows; and B. Minimizing the occurrence of weeds (species considered “moderate” or “high” threat to California wildlands as defined by CAL-IPC [2006] and noxious weeds rated “A” or “B” by the California Department of Food and Agriculture and any federal-rated pest plants [CDFA 2009]) at less than 10% cover of the shrub and herb layers. The Burrowing Owl Plan shall also include monitoring and maintenance requirements for the compensatory					

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BIO-13 (cont.)	habitat, details on methods for measuring compliance goals, and remedial actions to be taken if management goals are not met. The final Burrowing Owl Plan is due before preconstruction surveys begin to ensure that an approved relocation methodology will be followed for any owls occurring within the project area. Therefore, it is understood that the compensatory mitigation acreage (if required) may not be identified in the Burrowing Owl Plan. However, the Plan shall propose a location for compensatory mitigation land and the acreage required, quantified according to the CBOC methods outlined above. If owls are identified during the pre-construction survey, the project owner shall submit an addendum to the Burrowing Owl Plan, which identifies the number of owls identified and the exact acreage to be preserved and managed in perpetuity for burrowing owl based on the results of the preconstruction survey and as agreed to in consultation with CDFG.					
BIO-14	**AMERICAN BADGER AND DESERT KIT FOX IMPACT AVOIDANCE AND MINIMIZATION MEASURES:** To avoid direct impacts to American badgers and desert kit fox, pre-construction surveys shall be conducted for these species concurrent with the DT surveys. Surveys shall be conducted as described below. • Biological Monitors shall perform pre-construction surveys for badger and kit fox dens in the Project disturbance area, including areas within 250 feet of the project site. If burrows are detected, each burrow shall be classified as inactive, potentially active, or definitely active. • Inactive burrows and setts that would be directly impacted by construction activities shall be excavated by hand and backfilled to prevent reuse by badgers or kit fox. • Potentially and definitely active burrows and setts shall not be disturbed during the whelping/pupping season (February 1 - September 30). Potentially and definitely active dens that would be directly impacted by construction activities shall be monitored by the	The project owner shall submit a report to the CPM and CDFG within 30 days of completion of badger and kit fox surveys. The report shall describe survey methods, results, measures implemented, and the results of the measures.	Project Owner, Biological Monitor, & Designated Biologist	Within 30 days of completion of badger and kit fox surveys.	Ongoing.	In July 2011 during the pre-construction nesting bird surveys, no active kit fox dens were observed.

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BIO-14 (cont.)	Biological Monitor for three consecutive nights using a tracking medium (such as diatomaceous earth or fire clay) and/or infrared camera stations at the entrance. If no tracks are observed in the tracking medium or no photos of the target species are captured after three nights, the den shall be excavated and backfilled by hand. If tracks are observed, the Biological Monitor shall directly observe the burrow or sett and block the entrance after the animal exits and the Biological Monitor has verified that there are no animals in the burrow or sett. The burrow or den shall be blocked with natural materials (e.g., rocks, dirt, sticks, and vegetation piled in front of the entrance) or passive hazing methods shall be employed for the next three to five nights to discourage the badger or kit fox from continued use. Passive hazing methods shall be approved by CDFG. Live or other traps shall not be used (CCR Title 14 Section 460). A kit fox or badger shall never be trapped in its burrow/sett. After verification that the den is unoccupied it shall then be excavated and backfilled by hand to ensure that no badgers or kit fox are trapped in the den.					
BIO-15	**COMPENSATORY MITIGATION**. To fully mitigate for the habitat loss and incidental take of DT and MGS as well as BO, the project owner shall acquire, prior to ground-disturbing activities, in fee or in easement, no less than 118.2 acres of land suitable for these species and shall provide funding for the enhancement and long-term management of the compensation lands that may be delegated by written agreement to CDFG or a third party, such as a non-governmental organization dedicated to habitat conservation. If habitat disturbance exceeds that described in the analysis, the owner shall be responsible for acquisition and management of additional compensation lands and/or funds required to compensate for any additional habitat disturbance. Additional funds shall be based on the adjusted maker value of compensation lands at the time of construction to acquire and manage habitat. The acquisition and management of compensation lands shall include, but is not limited to, the	No less than 90 days prior to acquisition of the property, the project owner, or a third-party approved by the CPM, in consultation with CDFG and USFWS, shall submit a formal acquisition proposal to the CPM, CDFG, and USFWS describing the parcel(s) intended for purchase or title/easement transfer. At least 30 days prior to construction-related ground disturbance (or as allowed under 5(e), above), the project owner	Project Owner	Agreements to delegate land acquisition or management within 12 months of the CEC decision. Submit a formal acquisition proposal no less than 90 days prior to acquisition of the property. At least 30 days prior to construction-related ground disturbance (or as allowed under 5(e), above), the	Ongoing.	None.

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BIO-15 (cont.)	following elements: **1. SELECTION CRITERIA FOR COMPENSATION LANDS**. The compensation lands selected for acquisition of title/easement transfer shall: A. have substantial capacity to support resident and dispersing DT, MGS, and BO; B. be a contiguous block of land (preferably) or located so that parcel(s) result in a contiguous block of protected habitat; C. not be encumbered by easements of uses that would preclude fencing of the site or preclude management of the site for the primary benefit of the species for which mitigation lands were secure; and, D. include mineral/water rights or ensure that those rights may not be evoked in a manner to negate the values of compensation lands. **2. REVIEW AND APPROVAL OF COMPENSATION LANDS PRIOR TO TITLE/EASEMENT TRANSFER.** A minimum of three months prior to acquisition or transfer of the property title and/or easement, the owner, or a third party approved by the CPM, in consultation with CDFG and USFWS, shall submit a proposal to the CPM. CDFG and USFWS describing parcel(s) intended for purchase or title/easement transfer. This proposal shall discuss the suitability of the proposed parcel(s) as compensation lands for DT, MGS, and BO in relation to the criteria listed above. Approval from the CPM, in consultation with USFWS and CDFG, B66 shall be required for acquisitions of all parcels comprising no less than 118.2 acres in advance of purchase or title/easement transfer. **3. REVIEW AND APPROVAL OF COMPENSATION LANDS MANAGEMENT PLAN**. Within six months of the lands or easement purchase or transfer, as determined by the date on the title, the project owner, or a third-party approved by the CPM, in consultation with CDFG and USFWS, shall submit a compensation lands	shall provide written verification to the CPM that the compensation lands or conservation easements have been acquired and recorded in favor of the approved recipient(s). Within six months of the land or easement purchase, as determined by the date on the title, the project owner shall provide the CPM with a management plan for review and approval, in consultation with CDFG, for the compensation lands and associated funds. Within 90 days after completion of project construction, the project owner shall provide to the CPM verification that disturbance to desert tortoise and MGS habitat did not exceed 430 acres, and that construction activities did not result in impacts to desert tortoise, MGS, and burrowing owl habitat adjacent to work areas. If habitat disturbance exceeds that described in this analysis, the CPM shall notify the project owner of any additional funds required or lands that must be purchased to compensate for any additional habitat		project owner shall provide written verification to the CPM that the compensation lands or conservation easements have been acquired and recorded in favor of the approved recipient(s).		

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-15 (cont.)	management plan to the CPM, CDFG, and USFWS. The plan shall include, but not be limited to proposed measures to enhance habitat (e.g., removal of structures and other human attractants); maintenance procedures; and general maintenance provisions (e.g., trash dumping, trespass, pesticide use avoidance, etc.). **4. MITIGATION SECURITY FOR COMPENSATION LANDS AND AVOIDANCE/MINIMIZATION MEASURES.** The project owner shall provide financial assurances to the CPM, with copies of the document(s) to CDFG and USFWS, to guarantee that an adequate level of funding is available to implement all biological avoidance, minimization, and compensation measures described in the conditions of certification. These funds shall be used solely for implementation of the measures associate with the project. **5. CONDITIONS FOR ACQUISITION OF COMPENSATION LANDS.** The project owner shall comply with the following conditions relating to acquisition of compensation lands or transfer of the property's title and/or easement after the CPM, in consultation with CDFG and USFWS, has approved the proposed compensation land as described above. A. Preliminary Report. The project owner, or approved third party, shall provide a recent preliminary title report (no more than six months old), hazardous materials survey report (i.e., Phase I ESA), biological analysis, and other necessary documents for the proposed 118.2 acres. All documents conveying or conserving compensation lands and all conditions of title/easement are subject to a field review and approval by the CPM, in consultation with CDFG and USFWS, California Department of General Services, and, if applicable, the Fish and Game Commission and/or Wildlife Conservation Board.	disturbances at the adjusted market value at the time of construction to acquire and manage habitat. If electing to use an in-lieu fee provision, the project owner shall request from the Energy Commission a determination that the project's in-lieu fee proposal meets CEQA and CESA requirements.				

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BIO-15 (cont.)	B. Title/Conveyance. The project owner shall transfer fee title/deed or a conservation easement for 118.2 acres of compensation lands to CDFG under terms approved by CDFG. Alternatively, a CPM-approved, in consultation with CDFG and USFWS, non-project organization qualified pursuant to California Government Code section 65965 may hold fee title or a conservation easement over the compensation lands. In the event an approved non-profit holds title, a conservation easement shall be recorded in favor of CDFG in a form approved by CDFG and USFWS; in the event an approved non-profit holds a conservation easement over the compensation lands, CDFG shall be named a third-party beneficiary. USFWS shall be named a third-party beneficiary regardless of who holds the easement. The project owner shall also provide a property assessment and warranty. C. Enhancement Fund. The project owner shall fund the initial protection and enhancement of the 118.2 acres by providing the enhancement fund to the CDFG. Alternatively, a CPM-approved, in consultation with CDFG and USFWS, non-profit organization qualified pursuant to California Government Code section 65965 to manage the compensations land may hold the enhancement funds. If CDFG takes fee title to the compensation lands, the enhancement fund must go to CDFG. D. Endowment Fund. Prior to ground-disturbing project activities, the project owner shall provide to CDFG a capital endowment in the amount determined through the Property Analysis Record (PAR) or PAR-like analysis that will be conducted for the 118.2 acres of compensation lands. Alternatively, a CPM-approved, in consultation with CDFG and USFWS, non-profit organization qualified pursuant to California Government Code section 65965 may hold the endowment fees. If CDFG takes fee title to the compensation lands, the					

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO-15 (cont.)	endowment must go to CDFG, where it will likely be held in the special deposit fund established pursuant to Government Code section 16370. If the special deposit fund is not used to manage the endowment, the California Wildlife Foundation will manage the endowment for CDFG and with CDFG guidance. The project owner and the CPM shall ensure that an agreement is in place with the endowment holder/manager to ensure the following: <u>Interest</u>. Interest generated from the initial capital endowment shall be available for reinvestment into the principal and for the long-term operation, management, and protection of the approved compensation lands, including reasonable administrative overhead, biological monitoring, improvements to carrying capacity, law enforcement measures, and any other action designed to protect or improve the habitat values of the compensation lands. <u>Withdrawal of Principal</u>. The endowment principal shall not be drawn upon unless such withdrawal is deemed necessary by the CDFG or the approved third-party endowment manager to ensure the continued viability of the species on the 118.2 acres. If CDFG takes fee title to the compensation lands, monies received by CDFG pursuant to this provision will likely be deposited in a special deposit fund established pursuant to Government Code section 16370. If the special deposit fund is not used to manage the endowment, the California Wildlife Foundation will manage the endowment for CDFG and with CDFG guidance. <u>Pooling Endowment Funds</u>. CDFG, or a CPM-approved, in consultation with CDFG and USFWS, non-profit organization qualified pursuant to California Government Code section 65965 to hold					

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BIO-15 (cont.)	endowments for the operation, management, and protection of the 118.2 acres for local populations of DT and MGS. However, for reporting purposes, the endowment fund must be tracked and reported individually. E. Security Deposit. The project owner may proceed with ground disturbing activities before fully performing its compensatory mitigation duties and obligations as set forth above only if the project owner secures its performance by providing funding to CDFG (Security Deposit), or if CDFG approves, administrative proof of funding, necessary to cover easement costs, fencing/cleanup costs, and as necessary, initial protection and enhancement of the compensation lands. If the Security is provided to allow the commencement of project disturbance prior to completion of compensation actions, the project owner has failed to comply with the conditions of certification, The security will be returned to the project owner upon completion of an implementation agreement with a third party mitigation banking entity acceptable to the CPM and CDFG, to acquire and/or manage the compensation lands. The security is calculated as follow: - Costs of enhancing compensation lands are estimated at $250 per acre. - Costs of establishing an endowment for long-term management of compensation land are estimated at $1,300 per acre. F. Reimbursement Fund. The project owner shall provide reimbursement to the CDFG or approved third party for reasonable expenses incurred during title, easement, and documentation review; expenses incurred from other state agency reviews; and overhead related to providing compensation lands. The project owner is responsible for all					

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BIO-15 (cont.)	compensation lands acquisition/easement costs, including but not limited to, title and document review costs, as well as expenses incurred from other state agency reviews and overhead related to providing compensation lands to the department or approved third party; escrow fees or costs; environmental contaminants clearance; and other site cleanup measures. The project owner may choose to satisfy its mitigation obligations by paying an in-lieu fee instead of acquiring compensation lands to mitigate for 118.2 acres of habitat, pursuant to California Senate Bill 34 (enacting CESA § 2069 and 2099) or other applicable in-lieu fee provision, to the extent the in-lieu fee provision is found by the Energy Commission to be in compliance with CEQA and CESA requirements.					
BIO-16	**TAMARISK ERADICATION, MONITORING, AND REPORTING PROGRAM.** The project owner shall ensure effective removal of tamarisk by designing and implementing a monitoring and reporting plan, The plan shall include proposed methods for tamarisk removal and treatment, monitoring and maintenance procedures/timeline, irrigation, success standards and contingency measures, and monitoring and maintenance objectives to prevent the reinvasion of undesirable weeds and/or invasive wildlife species for a minimum of five years. This plan shall include identification on a map of each location and size of non-native vegetation to be removed, and the methods proposed to remove and dispose of invasive wildlife species. Exotic, non-native, and invasive species removal shall be conducted throughout the monitoring and maintenance period. Prior to any tree removal, it will be verified that there are no nesting raptors or other MBTA-protected birds. For the CPM and CDFG to deem eradication successful: 1) The site shall not contain more than 5 percent exotic plant species of the CPM and CDFG to deem the tamarisk removal successful.	At least 30 days prior to any construction-related ground disturbance, the project owner shall submit to the CPM a copy of the Energy Commission staff- and CDFG-approved Tamarisk Eradication Monitoring and Reporting Plan, including success criteria. The Designated Biologist shall submit annual reports to the CPM and CDFG describing the dates, durations and results of monitoring. The reports shall fully describe the status of the tamarisk at the eradication site, and shall describe any actions taken to remedy regrowth. The CPM and CDFG shall: 1) verify compliance	Project Owner & Designated Biologist	Submit Tamarisk Eradication Monitoring and Reporting Plan at least 30 days prior to any construction-related ground disturbance. Monitoring and maintenance of the site shall be conducted for five years unless less monitoring can be justified.	Completed.	Report submitted to CEC, waiting for response or comments

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BIO-16 (cont.)	2) All plant species with rate of dispersal and establishment listed as "high" or "moderate" on the California Invasive Plant Inventory shall have documented absence, or have been removed from the site for at least three years for the CPM and CDFG to deem the site successful. 3) The site shall not contain invasive wildlife species for the CPM and CDFG to deem the site successful. Monitoring and maintenance of the site shall be conducted for five years unless less monitoring can be justified. Following the first year of monitoring, if the project owner petitions to terminate the monitoring program, staff and CDFG will determine whether more years are of monitoring are needed.	with protective measures to ensure the accuracy of the project owner's mitigation, monitoring and reporting efforts; and 2) review relevant documents maintained by the project owner, interview the project owner's employees and agents, inspect the work site, and take other actions as necessary to assess compliance with or effectiveness of protective measures.				
BIO-17	**MONITORING IMPACTS OF SOLAR COLLECTING TECHNOLOGY ON BIRDS.** The project owner shall prepare and implement a Bird Monitoring Study to monitor the death and injury of birds from collisions with facility features such as reflective mirror-like surfaces and from heat, and bright light from concentrating sunlight. The study design shall be approved by the CPM in consultation with the CDFG and USFWS, and shall be incorporated in to the projects BRMIMP and implemented. The Bird Monitoring Study shall include detailed specification on data and carcass collection protocol and a rationale justifying the proposed schedule or carcass searches. The study shall also include seasonal trials to assess bias from carcass removal by scavengers as well as searcher bias.	At least 60 days prior to commercial operation, the project owner shall submit to the CPM, USFWS, and CDFG and draft Bird Monitoring Study. The CPM shall review and provide written comments within 15 days of receipt of the Bird Monitoring Study. At least 30 days prior to start of commercial operation, the project owner shall provide the CPM with the final version of the Bird Monitoring Plan that has been reviewed and approved by the CPM, in consultation with CDFG and USFWS. All modifications to the Bird Monitoring Study shall be made only after approval from the CPM." All modifications to the Bird Monitoring Study shall be	Project Owner	Submit a draft Bird Monitoring Study at least 60 days prior to commercial operation of the plant.	Not started.	None.

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BIO-17 (cont.)		made only after approval from the CPM. For at least two years following the beginning of operation the Designated Biologist shall submit quarterly reports to the CPM, CDFG, and USFWS describing the dates, durations and results of monitoring. The quarterly reports shall provide a detailed description of any Project-related bird or wildlife deaths or injuries detected during the monitoring study or at any other time. Following the completion of the fourth quarter of monitoring the Designated Biologist shall prepare an Annual Report that summarizes the year's data, analyzes any Project-related bird fatalities or injuries detected, and provides recommendations for future monitoring and any adaptive management actions needed. The Annual Report shall be provided to the CPM, CDFG, and USFWS. Quarterly reporting shall continue until the CPM, in consultation with CDFG and USFWS, determine whether more years of monitoring are needed, and				

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BIO-17 (cont.)		whether mitigation (e.g., development and/or implementation of bird deterrent technology) and/or adaptive management measures are necessary. After the Bird Monitoring Study is determined by the CPM to be complete, the project owner or contractor shall prepare a paper that describes the study design and monitoring results to be submitted to a peer-reviewed scientific journal. Proof of submittal shall be provided to the CPM within one year of concluding the monitoring study.				
BIO-18	**RAVEN MANAGEMENT PLAN:** The project owner shall implement the following measures to manage their construction site and related facilities in a manner to control raven populations and to mitigate cumulative and indirect impacts to desert tortoise associated with regional increases in raven numbers: 1. <u>Common Raven Monitoring, Management, and Control Plan</u>. The project owner shall design and implement a Common Raven Monitoring, Management, and Control Plan that is consistent with the most current USFWS-approved raven management guidelines and that meets the approval of USFWS, CDFG, and Energy Commission staff. The Raven Plan shall: A. Identify conditions associated with the project that might provide raven subsidies or attractants; B. Describe management practices to avoid or minimize conditions that might increase raven	At least 30 days prior to start of any construction-related ground disturbance activities, the project owner shall provide the CPM, USFWS, and CDFG with the final version of the Raven Management Plan that has been reviewed and approved by USFWS and CDFG. The CPM shall determine the plan's acceptability within 10 days of receipt of the final plan. All modifications to the approved Raven Management Plan must be made only after consultation with the	Project Owner & Designated Biologist	Submit the final version of a Raven Plan no less than 10 days prior to the start of any project-related ground disturbance activities. Prior to the start of any Project-related ground disturbance activities, provide documentation that the one-time fee for the USFWS Regional Raven Management Program has been deposited to the REAT-NFWS	Ongoing.	In July, responses to comments were incorporated into draft Raven Management Plan and it was submitted to CEC.

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BIO-18 (cont.)	numbers and predatory activities; C. Describe control practices for ravens; D. Address monitoring and nest removal during construction and for the life of the project; E. And discuss reporting requirements. 2. <u>USFWS Regional Raven Management.</u> The project owner shall submit payment to the project sub-account of the Renewable Energy Action Team (REAT) Account held by the National Fish and Wildlife Foundation (NFWF) to support the regional raven management plan. The amount shall be a one-time payment of $105 per acre of land permanently disturbed by the project.	Energy Commission staff, USFWS, and CDFG. The project owner shall notify the CPM no less than five working days before implementing any CPM-approved modifications to the Raven Plan. Prior to start of any construction-related ground disturbance activities, the project owner shall submit to the CPM verification of payment to the REAT Account to support the regional raven monitoring plan. Payment shall be included in the AMS project's land management enhancement fund, pursuant to Condition of Certification BIO-15 (5(D)). Within 30 days after completion of project construction, the project owner shall provide to the CPM for review and approval a report identifying which items of the Raven Plan have been completed, a summary of all modifications to mitigation measures made during the project's construction phase, and which items are still outstanding.		subaccount for the Project. Within 30 days after completion of project construction, submit a report identifying which items of the Raven Plan have been completed, a summary of all modification to mitigation measures made during the project's construction phase, and which items are still outstanding.		
BIO-19	**EVAPORATION POND MONITORING AND ADAPTIVE MANAGEMENT PLAN:** The project owner	At least 30 days prior to operation of the	Project Owner &	Submit Final Evaporation Pond	Not started.	None.

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BIO-19 (cont.)	shall design and implement an Evaporation Pond Monitoring and Adaptive Management Plan that meets the requirements of the USFWS and CDFG, RWQCB, and the CPM. The objective of the Plan is to define the monitoring and reporting procedures as well as triggers for adaptive management strategies that shall be implemented to prevent wildlife mortality at the evaporation ponds. The plan shall include: • A description of evaporation pond design features such as side slope specifications, freeboard and depth requirements, which will prevent use by wildlife; • A detailed description of the wildlife monitoring procedures andschedule. For the initial implementation of a new technology, dailymonitoring shall be conducted both at the project evaporation ponds and the wetlands within the Harper Lake ACEC. Monitoringmay be reduced to weekly and potentially bi-weekly or monthlydepending on the results of initial monitoring period. • A detailed description of the water quality and water level monitoring procedures and schedule. Water quality and water level monitoring shall coincide with wildlife monitoring to provide a basis for comparative analysis. • A description of wildlife exclusion/deterrent technologies andadaptive management strategies. Technologies shall include, butare not limited to netting, and shall not disturb or harass non-target wildlife adjacent to the project area. • Triggers for adaptive management (i.e., modifications to existing technology or replacement with new technology). Adaptivemanagement shall be necessary if: 1) more than one dead bird perquarter is discovered at the evaporation ponds; or 2) one special status animal is discovered at the evaporation ponds; or 3) noise levels attributable to the technology exceed 60 dB at the HarperLake ACEC wetlands. After three failed attempts at new technology or modification of existing technology, the ponds shall be netted; • Reporting requirements, to include monthly reporting for	evaporation ponds, the project owner shall provide the CPM, USFWS, RWQCB, and CDFG with the final version of the Plan that has been reviewed and approved by the CPM in consultation with USFWS, RWQCB, and CDFG. The project owner shall first submit a draft plan to the CPM that incorporates the guidance in this condition. The CPM, in coordination with USFWS, RWQCB, and CDFG, shall provide written comments to the project owner within 30 days of receipt of the draft plan and shall determine the acceptability of the final plan within 15 days of its receipt. All modifications to the approved Plan may be made by the CPM after consultation with USFWS, RWQCB, and CDFG. The project owner shall notify the CPM no less than five working days before implementing any CPM-approved modifications to the Evaporation Pond Plan.	Designated Biologist	Monitoring Plan at least 30 days prior to operation of the evaporation ponds. Monthly reports for the first year and quarterly thereafter.		

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	the first year if a technology other than netting is used. Reporting may be reduced to monthly or quarterly thereafter if no bird or wildlife deaths are reported during the first year. If wildlife mortality occurs at the ponds or if birds are disturbed at the marsh as described above, the CPM shall be notified within 10 days of the incident and the accompanying adaptive management action to be implemented.					
BIO-20	**HARPER DRY LAKE MARSH WATER DELIVERY.** To ensure continuity of water delivery to the Harper Dry Lake ACEC, the project owner shall not decommission the existing well on Mojave Solar, LLC-owned property that currently serves the Harper Dry Lake marsh (wetland well) until an alternate well is able to effectively convey a minimum or 75 acre-feet per year to the Harper Dry Lake marsh.	At least 15 days prior to decommissioning the wetland well, the project owner shall provide proof, to the satisfaction of the CPM, that the alternate well is completed and able to effectively convey a minimum of 75 acre feet per year to the Harper Dry Lake marsh. Proof shall include, but not be limited to, a description of the well parameters, as constructed.	Project Owner	At least 15 days prior to decommissioning.	Not started.	None.

Condition ID	Description of Requirement	Verification	Responsible Party	Due Date	Status as of July 31 , 2011	Notes
BIO 21	**USFWS BIOLOGICAL OPINION.** The project owner shall provide a copy of the Biological Opinion per Section 7 to the federal Endangered Species Act written by the USFWS in consultation with the U.S. Department of Energy. The terms and conditions contained in the Biological Opinion shall be incorporated into the project BRMIMP and implemented by the project owner.	For the Biological Opinion to effectively provide guidance on pre-construction actions for listed species (e.g., desert tortoise clearance surveys and translocation), the project owner shall submit to the CPM a copy of the USFWS's Biological Opinion at least 45 days prior to the start of any pre-construction site mobilization. At this time the project owner shall also verify that the permit terms and conditions of the Biological Opinion are incorporated into the BRMIMP and will be implemented.	Project Owner	At least 45 days prior to the start of any pre-construction site mobilization.	Ongoing.	The draft Biological Opinion was issued March 2, 2011. The final Biological Opinion was issued on March 17, 2011The Interim Allowable Agreement for the Biological Opinion was issued on March 7, 2011.

REFERENCES

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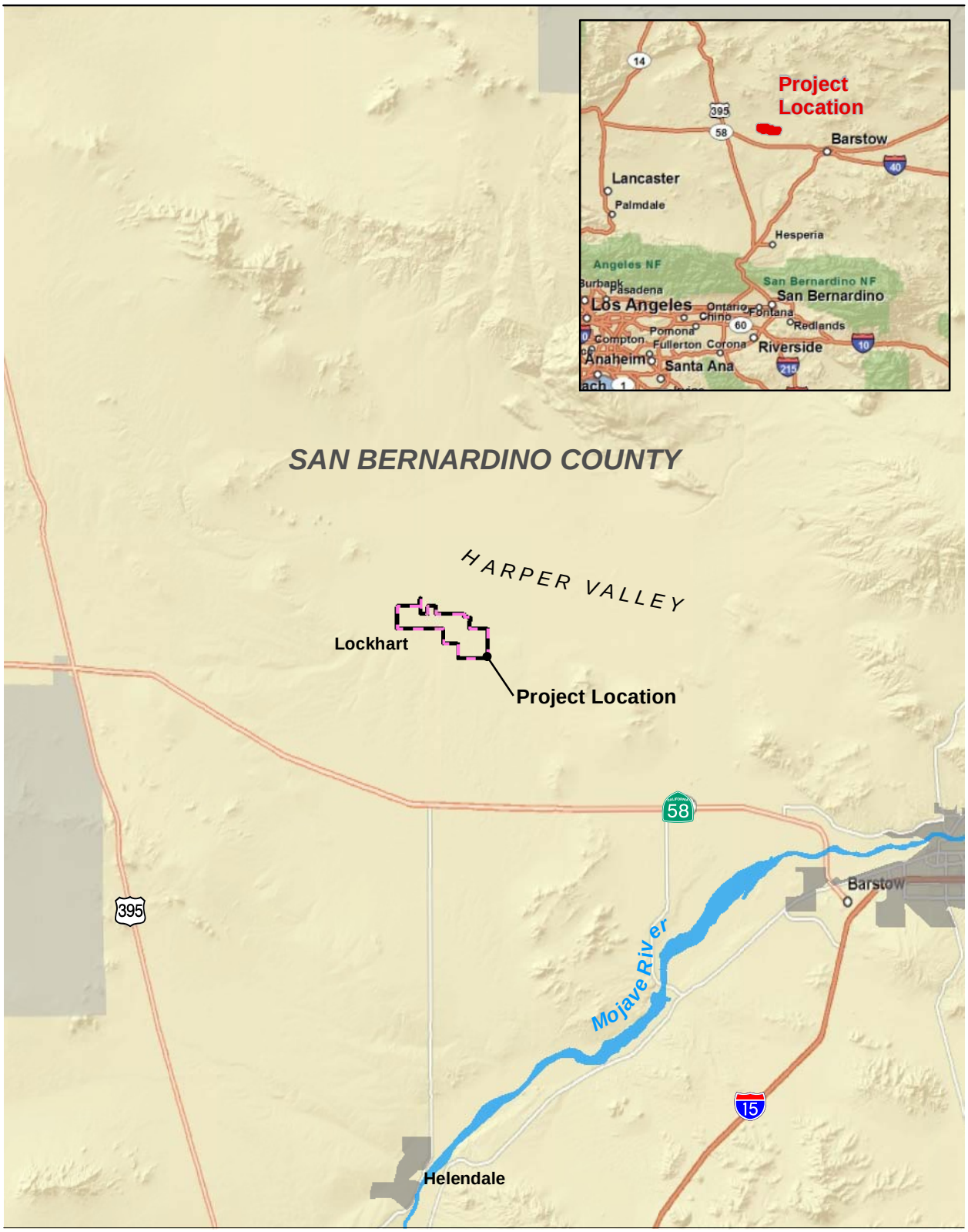
ATTACHMENT 1
FIGURES



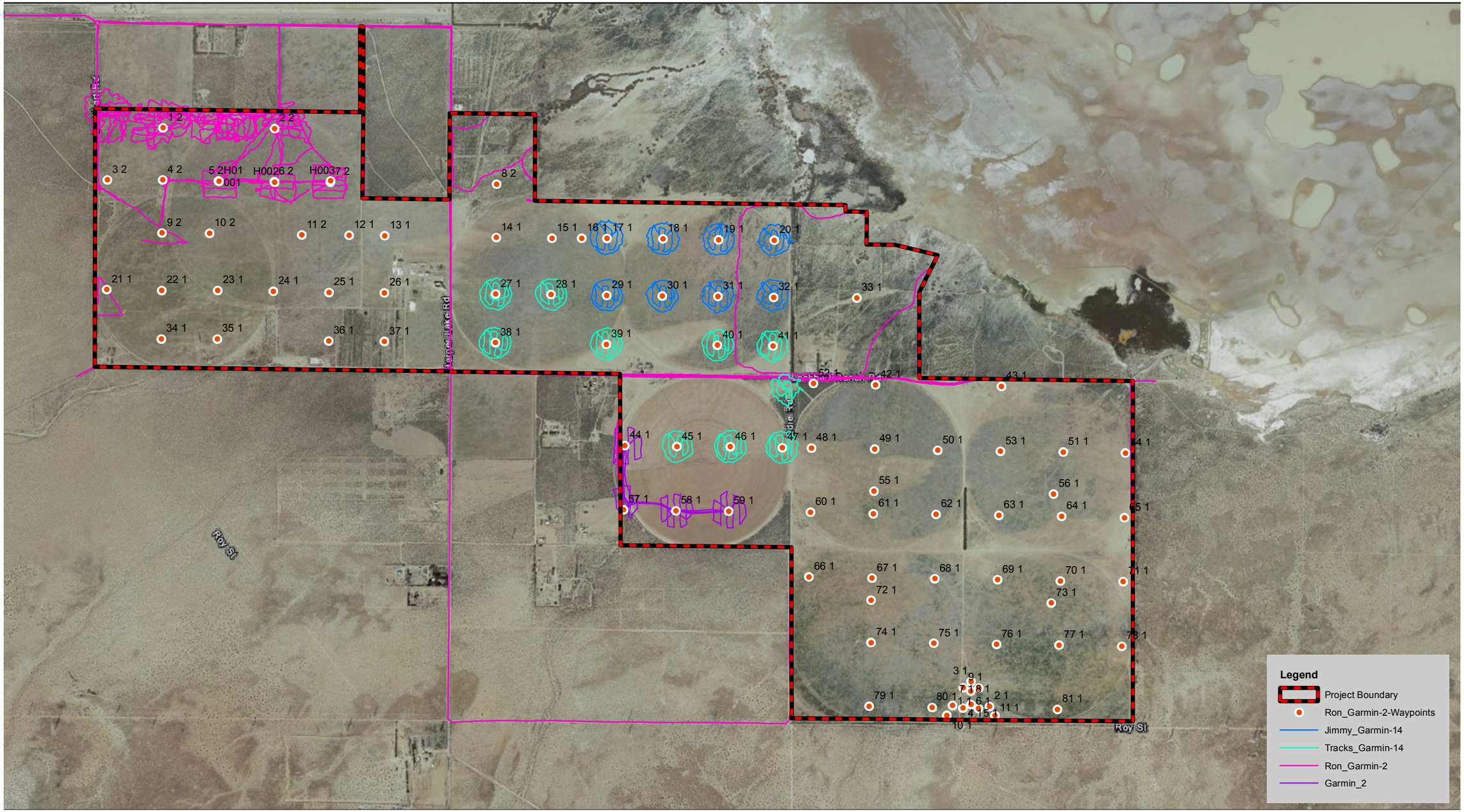
Source: Mojave Solar, LLC 2011; ESRI 2010

5 2.5 0 5 Miles

Scale: 1 = 316,800; 1 inch = 5 mile(s)

Figure 1
Regional Map

Path: P:\2008\08080191 Harper Lake Abengoa AFC\6.0 GIS\6.2 Project Directory\6.2.5 Layout\Compliance\MCR\Regional Map Mojave Solar Project Site.mxd, 6/6/2011, LeeJ



Source: Aerials Express 2010

1,500 750 0 1,500 Feet

Scale: 1:18,000; 1 inch = 1,500 feet

Nesting Bird Surveys GPS Data as of July 29, 2011

Mojave Solar Project

Path: P:\2008\08080191 Harper Lake Abengoa AFC\6.0 GIS\6.2 Project Directory\6.2.5 Layout\Compliance\Nesting_Birds\NestingBirdSurveys_20110729.mxd, 8/10/2011, LeeJ

ATTACHMENT 2
LIST OF AGENCY APPROVED BIOLOGISTS

Mojave Solar Project

Agency-Approved Biologists as of July 31, 2011

	CEC				CDFG				USFWS	
	BM		DB		BM		DB		AB	
Biologist	**Submitted**	**Approved**	**Submitted**	**Approved**	**Submitted**	**Approved**	**Submitted**	**Approved**	**Submitted**	**Approved**
Andreano, Paul	3/11/2011	DT, WBO, birds			3/11/2011	submitted				
Barratt, John	3/11/2011	DT			3/11/2011	submitted			3/11/2011	DT
Betzler, Joey	3/11/2011	DT			3/11/2011	submitted				
Bloom, Pete	1/7/2011	GOEA,WBO,birds			1/7/2011	submitted				
Boisvert, Sally	3/30/2011	DT Clr.			3/30/2011	submitted			3/30/2011	DT
Brown, Alex	6/6/2011	MGS			6/6/2011	MGS			6/6/2011	MGS pending
Brown, Rocky	1/7/2011	WBO,KF,AB,DT			1/7/2011	submitted				
Buffington, Jim	3/11/2011	DT			3/11/2011	submitted			3/11/2011	not approved
Conohan, Robert	1/7/2011	KF, WBO, AB, birds			1/7/2011	submitted				
Currylow, Andrea	3/11/2011	DT Clr.			3/11/2011	submitted			3/30/2011	DT
Davenport, Arthur	3/11/2011	DT, WBO, birds			3/11/2011	submitted			3/11/2011	DT
Dayman, Shelly	1/7/2011	AB,KF,WBO,DT			1/7/2011	submitted			1/7/2011	not approved
Donnan, Bill	3/30/2011	Con. M./Not DT Clearance			3/30/2011	submitted			3/30/2011	not approved for DT
Fisher, Andrew	1/7/2011	GOEA,WBO,birds			1/7/2011	submitted				
Furman, Cynthia	3/30/2011	DT Clr.			3/30/2011	submitted			3/30/2011	DT

Mojave Solar Project

Agency-Approved Biologists as of July 31, 2011

	CEC				CDFG				USFWS	
	BM		DB		BM		DB		AB	
Biologist	**Submitted**	**Approved**	**Submitted**	**Approved**	**Submitted**	**Approved**	**Submitted**	**Approved**	**Submitted**	**Approved**
German, Charles	3/11/2011	DT, WBO			3/11/2011	submitted			3/11/2011	Need to submit Resume and DT form
Germann, Donna	and 3/11/2011	WBO, DT, birds			1/7/2011	submitted			1/7/2011	Need to submit DT Form
Green, Erich	3/11/2011	DT Clr.	3/11/2011 (Alt DB)	submitted	3/11/2011	submitted	3/11/2011 (Alt DB)	submitted	3/11/2011	DT
Harbin-Ireland, Angie	1/7/2011	AB,KF, WBO, birds			1/7/2011	submitted				
Hart, John Brooks	3/11/2011	DT, KF, WBO, birds	3/11/2011 (Alt DB)	submitted	3/11/2011	submitted	3/11/2011 (Alt DB)	submitted	3/11/2011	DT
Hasskamp, M.A.	3/11/2011	DT, WBO, KF			3/11/2011	submitted			3/11/2011	DT
Hasskamp, William	3/11/2011	DT, WBO, KF			3/11/2011	submitted			3/11/2011	DT
Hinderlie, Danna			1/7/2011	Alt DB-All			1/7/2011	submitted	1/7/2011	DT
Ireland, Mike	1/7/2011	WBO, birds Need to submit for AB/KF			1/7/2011	submitted				
Jones, Charlie	3/11/2011	DT Clr.	3/11/2011 (Alt DB)	submitted			3/11/2011 (Alt DB)	submitted	3/11/2011	DT
Kedziora, Matt	1/7/2011	WBO, KF, AB			1/7/2011	submitted				
Keyes, George Jr.	3/11/2011	DT			3/11/2011	submitted			1/11/2011	DT
Knowles, Craig	3/11/2011	DT Clr.	1/20/2011	Alt DB-All			1/20/2011	submitted	1/20/2011	DT
LaCoste, Erik	1/7/2011	WBO, birds, DT	1/7/2011		1/7/2011	submitted	1/7/2011	submitted		

Mojave Solar Project

Agency-Approved Biologists as of July 31, 2011

	CEC				CDFG				USFWS	
	BM		DB		BM		DB		AB	
Biologist	**Submitted**	**Approved**	**Submitted**	**Approved**	**Submitted**	**Approved**	**Submitted**	**Approved**	**Submitted**	**Approved**
Leitner, Phil			1/7/2011	Lead DB (MGS)			1/7/2011	Lead MGS		
Lukasek, Gregg	3/11/2011	DT, KF, AB, WBO			3/11/2011	submitted			3/11/2011	not approved
Malle, Matthew	3/11/2011	DT, WBO, birds			3/11/2011	submitted				
McGuire, Raphael	3/30/2011	DT Clr.			3/30/2011	submitted			3/30/2011	DT
McMorran, Jimmy	1/7/2011	WBO, birds			1/7/2011	submitted				
Mulrooney, Brennan	3/11/2011	WBO, birds			3/11/2011	submitted				
Poole, Tina	3/11/2011	DT			3/11/2011	submitted			3/11/2011	DT
Rathbun, Mike	3/11/2011	DT, WBO, birds			3/11/2011	submitted			3/11/2011	not approved
Rivera, Milo	3/11/2011	DT, WBO			3/11/2011	submitted			3/11/2011	DT
Role, Abraham	3/11/2011	DT Clr.			3/11/2011	submitted			3/11/2011	DT
Scanlon, Chris	3/11/2011	DT Clr.			3/11/2011	submitted			3/11/2011	DT
See, Gretchen	3/11/2011	DT Clr.			3/11/2011	submitted			3/11/2011	DT
Skousen, Tim	3/11/2011	DT Clr.			3/11/2011	submitted			3/11/2011	DT
Terry, Dana	3/7/2011	WBO, birds, DT			1/7/2011	submitted				
Verge, Joseph	3/11/2011	DT Clr.			3/11/2011	submitted			3/11/2011	DT
Vogler, Wayne	3/11/2011	DT Clr.			3/11/2011	submitted				
Walker, Ron	6/29/2011	DT, KF, AB, birds, WBO								
Wood, Peggy			1/7/2011	Lead DB-All			1/7/2011	submitted	1/7/2011	DT
Woodard, Rachel	3/11/2011	DT Clr.			3/11/2011	submitted			3/11/2011	DT
Wunderlich, Veronica	1/7/2011	AB, KF, WBO, birds			1/7/2011	submitted				

Legend:

USFWS=US Forest & Wildlife Service
CEC= CA Energy Commission
CDFG=CA Dept. Fish and Game

MGS=Mojave Ground Squirrel
WBO=Western Burrowing Owl
Clr. = Clearance Surveys
T=Transmittering

AB=Authorized Biologist
DB=Designated Biologist
Con. M.=Construction Monitor
H=Handling

AB=American Badger
GOEA=Golden Eagle
KF=Kit Fox
DT=Desert tortoise

ATTACHMENT 3
DATA FORMS: DESERT TORTOISE FENCE CHECKING, BIOLOGICAL MONITORING, NESTING BIRD SURVEYS

Daily Biological Monitoring Log
Mojave Solar Project

California Energy Commission Final Conditions of Certification 09-AFC-5

Biological Monitor:	RON WALKER	**Date:**	JULY 5TH 2011	
Starting Location and Activity:	MSP/LOCKHART ROAD FENCE INSPECTION	**Site Code:**	**Mojave Solar**	
Weather:		**Start** 7:30 AM	**Midday** 2:00	**End** 4:15 PM
Rainfall?	**Temp:**	65°F	98°F	90°F
Y (N)	**% Cloud Cover:**	15%	40%	70%

ALL MONITORS WILL NOTIFY A POINT OF CONTACT (POC) UPON ARRIVAL ONSITE

Contact Designated Biologist **Peggy Wood C: 435-881-6444** and Mojave Solar POC or foreman on arrival.
For health and safety issues, please contact the Field Safety Director (AECOM) Shelly Dayman C: (619) 820-0768.
In emergencies, dial 911

General Monitoring Section		
Condition	***Compliance?***	***Comments***
A) Construction activity (including spoils/topsoil) and traffic ONLY within flagged areas?(BIO-7.1)	☐Yes ☐ No ■ N/A	
B) Speed limit 25mph on Harper Lake Rd. and 15 mph on unfenced, unpaved access roads. No off road activity in unflagged areas? (BIO-7.2,3)	■Yes ☐ No ☐ N/A	
C) DT exclusion fence intact? Note any repairs made to fencing (see fence inspection timing details in BIO-11.1A).	■Yes ☐ No ☐ N/A	NO BREECHES IN FENCE
D) Transmission and power lines designed to reduce avian collision and electrocutions? (BIO-7.5)	☐Yes ☐ No ■ N/A	
E) DB or BM present during all disturbance activities with potential impact to soil, vegetation and wildlife?	☐Yes ☐ No ■ N/A	
F) Noise levels less than 60 dBA during construction?(BIO-8)	☐Yes ☐ No ■ N/A	
G) Night lighting avoids wildlife habitat?(BIO-7.7)	☐Yes ☐ No ■ N/A	
H) Vehicles/equipment checked for DT prior to movement (BIO-7.8)	■Yes ☐ No ☐ N/A	
I) Wildlife pitfall (trenches/bores) and entrapment (pipes/culverts) areas checked - note check times, start/end of day status [ramps/covered/capped @ end of day](BIO-7.9, 10)	☐Yes ☐ No ■ N/A	
J) BM completed all DT patrolling along Harper Lake Rd. for the day?(see COC BIO-7.8 for schedule)	☐Yes ☐ No ☐ N/A	
K) Only biologically non-toxic agents/sealants being used on road surfacing?(BIO-7.6)	☐Yes ☐ No ☐ N/A	
L) No standing water, note check times/locations (BIO-7.12)	☐Yes ☐ No ☐ N/A	
M) Wildlife injured, or road kill removed? note species/location (BIO-7.11)	☐Yes ☐ No ☐ N/A	
N) AB informed of hazardous spills with proper clean up/disposal, toxins avoided, hazardous materials stored in approved locations (BIO-7.13)	☐Yes ☐ No ☐ N/A	
O) Trash/food in sealed containers, removed daily (BIO-7.14)	■Yes ☐ No ☐ N/A	
P) No pets/firearms/weapons, wildlife not fed (BIO-7.14)	☐Yes ☐ No ☐ N/A	
Q) If present, are invasive weed species below reporting threshold? Describe (see Weed ID Guide Instructions)(BIO-7.15)	☐Yes ☐ No ☐ N/A	
R) Erosion control (eg. silt fences) present and functioning (BIO-7.16)	☐Yes ☐ No ☐ N/A	
S) Special status species observed? Describe	■Yes ☐ No ☐ N/A	LOGGERHEAD SHRIKE

AB=Authorized Biologist, BM=Biological Monitor, DT=Desert Tortoise, COC=California Energy Commission Conditions of Certification

Signature: Ron Walker

Biological Monitor:	RON WALKER	Date:	JULY 5TH 2011

Incidental Species: Daily notation of species other than WBO, DT, AB, KF or MGS

Incidental Species Observed		
Species	**Activity (of species)**	**Location**
LOGGERHEAD SHRIKE	FLYING/PERCHED	LOCKHART ROAD
MOURNING DOVE	" "	"
COOPERS HAWK	PERCHED	LOCKHART ROAD
ANTELOPE GROUND SQUIRREL	RUNNING	SEVERAL FENCELINES

Notes/Comments Section				
Notes/comments are to be captured in chronological order. If follow up is required, please include notes detailing this.				
Time	*ACT*[1]	*LOC*[2]	*Notes/Comments*	*CL*[3]
0730	1	1	FENCE INSPECTION WALKED AND DROVE	1
			PERIMETER OF MSP	
0900			MET UP W/ RON KLINKEBIEL OF	
			ABENER TEYMA FOR MEETING W/BID	
			CONTRACTORS	
1615	1	1	FINISHED DT FENCE INSPECTION	1
			OVERCAST W/FEW RAINDROPS, WIND	
			PICKED UP IN LATE AFTERNOON	
			LEFT SITE @ 1620	

***Activity (ACT)*[1]**
1. *DT Fencing*
2. *Access/egress*
3. *Clear/grub*
4. *Grading*
5. *Excavation*
6. *UXO Activities*
7. *SWPPP*
8. *Other (specify)*

***Location (LOC)*[2]**
1. *DT Fence*
2. *Access Road*
3. *Drainage*
4. *Other* _____
5. *Other* _____
6. *Other* _____
7. *Other* _____

***Compliance Levels (CL)*[3]**
1. *Acceptable*
2. *Notification*
3. *Non-compliance*
4. *Non-compliance Resolution*

Signature: Ron Walker

Daily Biological Monitoring Log
Mojave Solar Project

California Energy Commission Final Conditions of Certification 09-AFC-5

Biological Monitor:	RON WALKER	**Date:**	JULY 14, 2011	
Starting Location and Activity:	INTERSECTION OF LOCKHART ROAD & HARPER LAKE ROAD	**Site Code:**	**Mojave Solar**	
Weather: CLEAR SLIGHT BREEZE	DT FENCE INSPECTION	**Start** 7:40 AM	**Midday** 2:15	**End** 4:15 PM
Rainfall?	**Temp:**	75°F	95°F	94°F
Y (N) NONE	**% Cloud Cover:**	NONE	NONE	NONE

ALL MONITORS WILL NOTIFY A POINT OF CONTACT (POC) UPON ARRIVAL ONSITE

Contact Designated Biologist **Peggy Wood C: 435-881-6444** and Mojave Solar POC or foreman on arrival.
For health and safety issues, please contact the Field Safety Director (AECOM) Shelly Dayman C: (619) 820-0768.
In emergencies, dial 911

General Monitoring Section		
Condition	***Compliance?***	***Comments***
A) Construction activity (including spoils/topsoil) and traffic ONLY within flagged areas?(BIO-7.1)	☐Yes ☐ No ☑ N/A	
B) Speed limit 25mph on Harper Lake Rd. and 15 mph on unfenced, unpaved access roads. No off road activity in unflagged areas? (BIO-7.2,3)	☑Yes ☐ No ☐ N/A	
C) DT exclusion fence intact? Note any repairs made to fencing (see fence inspection timing details in BIO-11.1A).	☑Yes ☐ No ☐ N/A	NO BREACHES IN FENCE
D) Transmission and power lines designed to reduce avian collision and electrocutions? (BIO-7.5)	☐Yes ☐ No ☑ N/A	NO DT OBSERVED
E) DB or BM present during all disturbance activities with potential impact to soil, vegetation and wildlife?	☐Yes ☐ No ☑ N/A	OR THEIR SIGN
F) Noise levels less than 60 dBA during construction?(BIO-8)	☐Yes ☐ No ☑ N/A	
G) Night lighting avoids wildlife habitat?(BIO-7.7)	☐Yes ☐ No ☑ N/A	
H) Vehicles/equipment checked for DT prior to movement (BIO-7.8)	☑Yes ☐ No ☐ N/A	
I) Wildlife pitfall (trenches/bores) and entrapment (pipes/culverts) areas checked - note check times, start/end of day status [ramps/covered/capped @ end of day](BIO-7.9, 10)	☐Yes ☐ No ☑ N/A	
J) BM completed all DT patrolling along Harper Lake Rd. for the day?(see COC BIO-7.8 for schedule)	☐Yes ☐ No ☑ N/A	
K) Only biologically non-toxic agents/sealants being used on road surfacing?(BIO-7.6)	☐Yes ☐ No ☑ N/A	
L) No standing water, note check times/locations (BIO-7.12)	☐Yes ☐ No ☑ N/A	
M) Wildlife injured, or road kill removed? note species/location (BIO-7.11)	☐Yes ☐ No ☑ N/A	
N) AB informed of hazardous spills with proper clean up/disposal, toxins avoided, hazardous materials stored in approved locations (BIO-7.13)	☐Yes ☐ No ☑ N/A	
O) Trash/food in sealed containers, removed daily (BIO-7.14)	☐Yes ☐ No ☑ N/A	
P) No pets/firearms/weapons, wildlife not fed (BIO-7.14)	☐Yes ☐ No ☑ N/A	
Q) If present, are invasive weed species below reporting threshold? Describe (see Weed ID Guide Instructions)(BIO-7.15)	☐Yes ☐ No ☑ N/A	
R) Erosion control (eg. silt fences) present and functioning (BIO-7.16)	☐Yes ☐ No ☑ N/A	
S) Special status species observed? Describe	☐Yes ☑ No ☐ N/A	

AB=Authorized Biologist, BM=Biological Monitor, DT=Desert Tortoise, COC=California Energy Commission Conditions of Certification

Signature: Ron Walker

Biological Monitor:	RON WALKER	Date:	JULY 14TH 20

Incidental Species: Daily notation of species other than WBO, DT, AB, KF or MGS

Incidental Species Observed		
Species	**Activity (of species)**	**Location**
CALIFORNIA QUAIL	FLYING/RUNNING	ALPHA WEST (NORTH)
LOGGERHEAD SHRIKE	FLYING/PERCHED	ALPHA WEST
MOURNING DOVE	FLYING	ALPHA EAST & WEST
LECONTES THRASHER	FORAGING ON GROUND	ALPHA WEST
SAGE SPARROW	PERCHED (2)	ALPHA EAST
RAVEN (2)	FLYING - ALPHA	ALPHA WEST
	ON/ABOVE HARPER LAKE	
	ROAD	
ANTELOPE GROUND	RUNNING ALONG	ALPHA EAST & WEST
SQUIRREL	ROADSIDES	& BETA

Notes/Comments Section

Notes/comments are to be captured in chronological order. If follow up is required, please include notes detailing this.

Time	ACT[1]	LOC[2]	Notes/Comments	CL[3]
0735	1	1	Arrived on site	1
0740	1	1	Started DT Fence Inspection	1
1110			Met up with Bob Wilson (AECOM)	
			went to well sites	
1125			Met up with Dale Rundquist & Joe	
			Douglas @ 1125 They are from CEC	
			Took them on tour of site	
1300	1	1	Started fence check	1
1615	1	1	Finished Fence Inspection, no	
			breaches in fence, no DT or	1
			their sign	

Activity (ACT)[1]
1. DT Fencing
2. Access/egress
3. Clear/grub
4. Grading
5. Excavation
6. UXO Activities
7. SWPPP
8. Other (specify)

Location (LOC)[2]
1. DT Fence
2. Access Road
3. Drainage
4. Other _____
5. Other _____
6. Other _____
7. Other _____

Compliance Levels (CL)[3]
1. Acceptable
2. Notification
3. Non-compliance
4. Non-compliance Resolution

Signature: Ron Walker

Daily Biological Monitoring Log
Mojave Solar Project

California Energy Commission Final Conditions of Certification 09-AFC-5

Biological Monitor:	Peggy Wood		***Date:***	7-31-11
Starting Location and Activity:	MSP fenceline		***Site Code:***	***Mojave Solar***
Weather:		***Start*** 12:10 PM	***Midday*** :	***End*** 16:20 PM
Rainfall?	***Temp:***	82 F		86 F
(Y) N	***% Cloud Cover:***	85%		70%

ALL MONITORS WILL NOTIFY A POINT OF CONTACT (POC) UPON ARRIVAL ONSITE

Contact Designated Biologist **Peggy Wood C: (435) 881-6444** and Mojave Solar POC or foreman on arrival.
For health and safety issues, please contact the Field Safety Director (AECOM) Shelly Dayman C: (619) 820-0768.
In emergencies, dial 911

General Monitoring Section		
Condition	***Compliance?***	***Comments***
A) Construction activity (including spoils/topsoil) and traffic ONLY within flagged areas?(BIO-7.1)	Yes No N/A	
B) Speed limit 25mph on Harper Lake Rd. and 15 mph on unfenced, unpaved access roads. No off road activity in unflagged areas? (BIO-7.2,3)	Yes No N/A	
C) DT exclusion fence intact? Note any repairs made to fencing (see fence inspection timing details in BIO-11.1A).	Yes No N/A	
D) Transmission and power lines designed to reduce avian collision and electrocutions? (BIO-7.5)	Yes No N/A	
E) DB or BM present during all disturbance activities with potential impact to soil, vegetation and wildlife?	Yes No N/A	
F) Noise levels less than 60 dBA during construction?(BIO-8)	Yes No N/A	
G) Night lighting avoids wildlife habitat?(BIO-7.7)	Yes No N/A	
H) Vehicles/equipment checked for DT prior to movement (BIO-7.8)	Yes No N/A	
I) Wildlife pitfall (trenches/bores) and entrapment (pipes/culverts) areas checked - note check times, start/end of day status [ramps/covered/capped @ end of day](BIO-7.9, 10)	Yes No N/A	
J) BM completed all DT patrolling along Harper Lake Rd. for the day?(see COC BIO-7.8 for schedule)	Yes No N/A	
K) Only biologically non-toxic agents/sealants being used on road surfacing?(BIO-7.6)	Yes No N/A	
L) No standing water, note check times/locations (BIO-7.12)	Yes No N/A	
M) Wildlife injured, or road kill removed? note species/location (BIO-7.11)	Yes No N/A	
N) AB informed of hazardous spills with proper clean up/disposal, toxins avoided, hazardous materials stored in approved locations (BIO-7.13)	Yes No N/A	
O) Trash/food in sealed containers, removed daily (BIO-7.14)	Yes No N/A	
P) No pets/firearms/weapons, wildlife not fed (BIO-7.14)	Yes No N/A	
Q) If present, are invasive weed species below reporting threshold? Describe (see Weed ID Guide Instructions)(BIO-7.15)	Yes No N/A	
R) Erosion control (eg. silt fences) present and functioning (BIO-7.16)	Yes No N/A	
S) Special status species observed? Describe	Yes No N/A	

AB=Authorized Biologist, BM=Biological Monitor, DT=Desert Tortoise, COC=California Energy Commission Conditions of Certification

Signature: Peggy Wood

Incidental Species: Daily notation of species other than WBO, DT, AB, KF or MGS

Incidental Species Observed		
Species	**Activity (of species)**	**Location**
Le Conte's Thrasher	flying	NE Alpha East

Notes/Comments Section

Notes/comments are to be captured in chronological order. If follow up is required, please include notes detailing this.

Time	*ACT*[1]	*LOC*[2]	*Notes/Comments*	*CL*[3]
1210	8	1	Arrived on site to check fenceline after rain yesterday and today. Found only areas where antelope ground squirrels had dug under the fence. Used a shovel to fill in these gaps that are likely too small for anything but a very small juvy (tortoise).	
1440	8	1	Encountered a truck on outside fence line on East Beta near harrier barrier. Stuck in sand with their 2-WD p/u, the mother with 2 young children was waiting for her husband to return with help they had called via cell phone. I left them with supplemental water and continued on my check after being sure they were OK.	

Activity (ACT)[1]

1. *DT Fencing*
2. *Access/egress*
3. *Clear/grub*
4. *Grading*
5. *Excavation*
6. *UXO Activities*
7. *SWPPP*
8. *Other (specify)*

Location (LOC)[2]

1. *DT Fence*
2. *Access Road*
3. *Drainage*
4. *Other* _____
5. *Other* _____
6. *Other* _____
7. *Other* _____

Compliance Levels (CL)[3]

1. *Acceptable*
2. *Notification*
3. *Non-compliance*
4. *Non-compliance Resolution*

Signature: Peggy Wood

Daily Biological Monitoring Log
Mojave Solar Project

California Energy Commission Final Conditions of Certification 09-AFC-5

Biological Monitor:	Ron Walker		**Date:**	July 25, 2011
Starting Location and Activity:	NW Corner of ALPHA WEST Geotechnical Lounge		**Site Code:**	**Mojave Solar**
Weather:	Clear slight over cast	**Start** 7 : 00 AM	**Midday** 12 : 00	**End** 4 : 30 PM
Rainfall?	**Temp:**	84°F	94°F	98°F
Y N	**% Cloud Cover:**	10%	25%	65%

ALL MONITORS WILL NOTIFY A POINT OF CONTACT (POC) UPON ARRIVAL ONSITE

Contact Designated Biologist **Peggy Wood C: 435-881-6444** and Mojave Solar POC or foreman on arrival.
For health and safety issues, please contact the Field Safety Director (AECOM) Shelly Dayman C: (619) 820-0768.
In emergencies, dial 911

General Monitoring Section		
Condition	***Compliance?***	***Comments***
A) Construction activity (including spoils/topsoil) and traffic ONLY within flagged areas?(BIO-7.1)	☐Yes ☐ No ■ N/A	
B) Speed limit 25mph on Harper Lake Rd. and 15 mph on unfenced, unpaved access roads. No off road activity in unflagged areas? (BIO-7.2,3)	■Yes ☐ No ☐ N/A	
C) DT exclusion fence intact? Note any repairs made to fencing (see fence inspection timing details in BIO-11.1A).	■Yes ☐ No ☐ N/A	
D) Transmission and power lines designed to reduce avian collision and electrocutions? (BIO-7.5)	☐Yes ☐ No ■ N/A	
E) DB or BM present during all disturbance activities with potential impact to soil, vegetation and wildlife?	■Yes ☐ No ☐ N/A	
F) Noise levels less than 60 dBA during construction?(BIO-8)	☐Yes ☐ No ■ N/A	
G) Night lighting avoids wildlife habitat?(BIO-7.7)	☐Yes ☐ No ■ N/A	
H) Vehicles/equipment checked for DT prior to movement (BIO-7.8)	■Yes ☐ No ☐ N/A	
I) Wildlife pitfall (trenches/bores) and entrapment (pipes/culverts) areas checked - note check times, start/end of day status [ramps/covered/capped @ end of day](BIO-7.9, 10)	■Yes ☐ No ☐ N/A	
J) BM completed all DT patrolling along Harper Lake Rd. for the day?(see COC BIO-7.8 for schedule)	☐Yes ☐ No ■ N/A	
K) Only biologically non-toxic agents/sealants being used on road surfacing?(BIO-7.6)	☐Yes ☐ No ■ N/A	
L) No standing water, note check times/locations (BIO-7.12)	■Yes ☐ No ☐ N/A	
M) Wildlife injured, or road kill removed? note species/location (BIO-7.11)	☐Yes ☐ No ■ N/A	
N) AB informed of hazardous spills with proper clean up/disposal, toxins avoided, hazardous materials stored in approved locations (BIO-7.13)	☐Yes ☐ No ■ N/A	
O) Trash/food in sealed containers, removed daily (BIO-7.14)	■Yes ☐ No ☐ N/A	
P) No pets/firearms/weapons, wildlife not fed (BIO-7.14)	■Yes ☐ No ☐ N/A	
Q) If present, are invasive weed species below reporting threshold? Describe (see Weed ID Guide Instructions)(BIO-7.15)	☐Yes ☐ No ■ N/A	
R) Erosion control (eg. silt fences) present and functioning (BIO-7.16)	☐Yes ☐ No ■ N/A	
S) Special status species observed? Describe	☐Yes ■ No ☐ N/A	

AB=Authorized Biologist, BM=Biological Monitor, DT=Desert Tortoise, COC=California Energy Commission Conditions of Certification

Signature: Ron Walker

Biological Monitor:	Ron Walker	Date:	July 25, 2011

Incidental Species: Daily notation of species other than WBO, DT, AB, KF or MGS

Incidental Species Observed		
Species	**Activity (of species)**	**Location**
Mourning Dove	flying	Alpha West
Loggerhead Shrike	flying/perching	Alpha West
Sage Sparrow	flying/perching	Alpha West

Notes/Comments Section

Notes/comments are to be captured in chronological order. If follow up is required, please include notes detailing this.

Time	ACT[1]	LOC[2]	Notes/Comments	CL[3]
0700	8	5	Began WEAP training, introduced Paleo	1
			training, began geotechnical investigations	
			in the NW corner of Alpha West	
			Also continued bird/nest survey	
1630	8	5	Finished geotechnical investigation	1
			in Alpha West, drilled six	
			holes, no incidents.	
			finished bird surveys for the	
			day.	

Activity (ACT)[1]
1. DT Fencing
2. Access/egress
3. Clear/grub
4. Grading
5. Excavation
6. UXO Activities
7. SWPPP
8. Other (specify)

Location (LOC)[2]
1. DT Fence
2. Access Road
3. Drainage
4. Other _____
5. Other ALPHA WEST
6. Other _____
7. Other _____

Compliance Levels (CL)[3]
1. Acceptable
2. Notification
3. Non-compliance
4. Non-compliance Resolution

Signature: Ron Walker

Biological Monitor:	Ron Walker	**Date:**	July 25TH	
Starting Location and Activity:	Alpha West	**Site Code:**	MSP	
Weather:	Clear	**Start** 6:00AM	**Midday** 12:00	**End** 4:30 PM
Rainfall?	**Temp:**	84°	94°	98°
Y N	**% Cloud Cover:**	0%	0%	0%

Non-Disturbance Buffer Monitoring Section (Nesting birds, WBO, Kit fox, Badger Penned DT)		
Species, Location, and ID:		
Condition	***Compliance?***	***Comments***
A) Are exclusionary fencing and/or erosion control measures intact, with no sign of trespass or encroachment of disturbance activities? Describe	■Yes □ No □ N/A	
B) Are sensitive species still present inside the fencing? Describe their status and behavior.	■Yes □ No □ N/A	Kit Fox
C) Any sensitive species observed immediately outside fencing? Describe	□Yes ■No □ N/A	
D) Does the current fencing configuration appear to sufficiently encompass the applicable resources? Describe	■Yes □ No □ N/A	
E) Is adaptive management needed? Recommendations.	□Yes ■ No □ N/A	
F) Is all stockpiling kept away from buffer, posing no threat for siltation/debris entering into buffer? Describe	□Yes □ No ■ N/A	

Raven Monitoring: Bi-weekly reconnaissance focusing on potential subsidies (waste disposal areas, erected structures and staged equipment, water)

Raven Monitoring Data					
Number of Ravens Observed	**Time**	**Location**	**Activity** (flying; ground; perching and type of perch).	**Nest Sites (**Location; occupied; unoccupied)	**If Unoccupied, was it removed?**

Signature: _____

Daily Biological Monitoring Log
Mojave Solar Project

California Energy Commission Final Conditions of Certification 09-AFC-5

Biological Monitor:	Ron Walker		**Date:**	July 26
Starting Location and Activity:	alpha West Heatchmond Borrow		**Site Code:**	**Mojave Solar**
Weather:	Clear	**Start** 6:00 AM	**Midday** 12:00	**End** 2:30 PM
Rainfall?	**Temp:**	78°	92°	98°
Y (N)	**% Cloud Cover:**	0%	10%	10%

ALL MONITORS WILL NOTIFY A POINT OF CONTACT (POC) UPON ARRIVAL ONSITE

Contact Designated Biologist **Peggy Wood C: 435-881-6444** and Mojave Solar POC or foreman on arrival.
For health and safety issues, please contact the Field Safety Director (AECOM) Shelly Dayman C: (619) 820-0768.
In emergencies, dial 911

General Monitoring Section		
Condition	***Compliance?***	***Comments***
A) Construction activity (including spoils/topsoil) and traffic ONLY within flagged areas?(BIO-7.1)	☐Yes ☐ No ■ N/A	
B) Speed limit 25mph on Harper Lake Rd. and 15 mph on unfenced, unpaved access roads. No off road activity in unflagged areas? (BIO-7.2,3)	■Yes ☐ No ☐ N/A	
C) DT exclusion fence intact? Note any repairs made to fencing (see fence inspection timing details in BIO-11.1A).	■Yes ☐ No ☐ N/A	
D) Transmission and power lines designed to reduce avian collision and electrocutions? (BIO-7.5)	☐Yes ☐ No ■ N/A	
E) DB or BM present during all disturbance activities with potential impact to soil, vegetation and wildlife?	■Yes ☐ No ☐ N/A	
F) Noise levels less than 60 dBA during construction?(BIO-8)	☐Yes ☐ No ■ N/A	
G) Night lighting avoids wildlife habitat?(BIO-7.7)	☐Yes ☐ No ■ N/A	
H) Vehicles/equipment checked for DT prior to movement (BIO-7.8)	■Yes ☐ No ☐ N/A	
I) Wildlife pitfall (trenches/bores) and entrapment (pipes/culverts) areas checked - note check times, start/end of day status [ramps/covered/capped @ end of day](BIO-7.9, 10)	■Yes ☐ No ☐ N/A	
J) BM completed all DT patrolling along Harper Lake Rd. for the day?(see COC BIO-7.8 for schedule)	☐Yes ☐ No ■ N/A	
K) Only biologically non-toxic agents/sealants being used on road surfacing?(BIO-7.6)	☐Yes ☐ No ■ N/A	
L) No standing water, note check times/locations (BIO-7.12)	■Yes ☐ No ☐ N/A	
M) Wildlife injured, or road kill removed? note species/location (BIO-7.11)	☐Yes ☐ No ■ N/A	
N) AB informed of hazardous spills with proper clean up/disposal, toxins avoided, hazardous materials stored in approved locations (BIO-7.13)	☐Yes ☐ No ■ N/A	
O) Trash/food in sealed containers, removed daily (BIO-7.14)	■Yes ☐ No ☐ N/A	
P) No pets/firearms/weapons, wildlife not fed (BIO-7.14)	■Yes ☐ No ☐ N/A	
Q) If present, are invasive weed species below reporting threshold? Describe (see Weed ID Guide Instructions)(BIO-7.15)	☐Yes ☐ No ■ N/A	
R) Erosion control (eg. silt fences) present and functioning (BIO-7.16)	☐Yes ☐ No ■ N/A	
S) Special status species observed? Describe	☐Yes ■ No ☐ N/A	

AB=Authorized Biologist, BM=Biological Monitor, DT=Desert Tortoise, COC=California Energy Commission Conditions of Certification

Signature: Ron Walker

Biological Monitor:	Ron Walker	Date:	July 26

Incidental Species: Daily notation of species other than WBO, DT, AB, KF or MGS

Incidental Species Observed		
Species	**Activity (of species)**	**Location**
Sage Sparrow	flying	Alpha West
American Kestrel	flying	Alpha West (north)

Notes/Comments Section

Notes/comments are to be captured in chronological order. If follow up is required, please include notes detailing this.

Time	*ACT*[1]	*LOC*[2]	*Notes/Comments*	*CL*[3]
0600	8	5	Began geotechnical investigation	1
1430	8	5	Ended geotechnical investigation	1

***Activity (ACT)*[1]**
1. *DT Fencing*
2. *Access/egress*
3. *Clear/grub*
4. *Grading*
5. *Excavation*
6. *UXO Activities*
7. *SWPPP*
8. *Other (specify)*

***Location (LOC)*[2]**
1. *DT Fence*
2. *Access Road*
3. *Drainage*
4. *Other* _____
5. *Other* Alpha West
6. *Other* _____
7. *Other* _____

***Compliance Levels (CL)*[3]**
1. *Acceptable*
2. *Notification*
3. *Non-compliance*
4. *Non-compliance Resolution*

Signature: Ron Walker

Biological Monitor:	Ron Walker	**Date:**	07/26/2011	
Starting Location and Activity:	Alpha West Geo-Boring	**Site Code:**	**MSP**	
Weather:	Clear	**Start** 6:00 AM	**Midday** 12:00	**End** 2:30 PM
Rainfall?	**Temp:**	78°	92°	98°
Y (N)	**% Cloud Cover:**	0 %	10%	10%

Non-Disturbance Buffer Monitoring Section (Nesting birds, WBO, Kit fox, Badger Penned DT)		
Species, Location, and ID:		
Condition	***Compliance?***	***Comments***
A) Are exclusionary fencing and/or erosion control measures intact, with no sign of trespass or encroachment of disturbance activities? Describe	■Yes □ No □ N/A	
B) Are sensitive species still present inside the fencing? Describe their status and behavior.	■Yes □ No □ N/A	Kit Fox
C) Any sensitive species observed immediately outside fencing? Describe	□Yes ■ No □ N/A	
D) Does the current fencing configuration appear to sufficiently encompass the applicable resources? Describe	■Yes □ No □ N/A	
E) Is adaptive management needed? Recommendations.	□Yes ■ No □ N/A	
F) Is all stockpiling kept away from buffer, posing no threat for siltation/debris entering into buffer? Describe	□Yes □ No ■ N/A	

Raven Monitoring: Bi-weekly reconnaissance focusing on potential subsidies (waste disposal areas, erected structures and staged equipment, water)

Raven Monitoring Data					
Number of Ravens Observed	**Time**	**Location**	**Activity** (flying; ground; perching and type of perch).	**Nest Sites** (Location; occupied; unoccupied)	**If Unoccupied, was it removed?**

Signature: Ron Walker

Daily Biological Monitoring Log
Mojave Solar Project

California Energy Commission Final Conditions of Certification 09-AFC-5

Biological Monitor:	Ron Walker		**Date:**	7-27-2011
Starting Location and Activity:	Alpha West/geotech Bounce		**Site Code:**	**Mojave Solar**
Weather: Clear	Clear	**Start** 6:00 AM	**Midday** 12:00	**End** 3:30 PM
Rainfall?	**Temp:**	82°F	93°	99°
Y (N)	**% Cloud Cover:**	2%	2%	2%

ALL MONITORS WILL NOTIFY A POINT OF CONTACT (POC) UPON ARRIVAL ONSITE

Contact Designated Biologist **Peggy Wood C: 435-881-6444** and Mojave Solar POC or foreman on arrival.
For health and safety issues, please contact the Field Safety Director (AECOM) Shelly Dayman C: (619) 820-0768.
In emergencies, dial 911

General Monitoring Section		
Condition	***Compliance?***	***Comments***
A) Construction activity (including spoils/topsoil) and traffic ONLY within flagged areas?(BIO-7.1)	☐Yes ☐ No ☒ N/A	
B) Speed limit 25mph on Harper Lake Rd. and 15 mph on unfenced, unpaved access roads. No off road activity in unflagged areas? (BIO-7.2,3)	☒Yes ☐ No ☐ N/A	
C) DT exclusion fence intact? Note any repairs made to fencing (see fence inspection timing details in BIO-11.1A).	☒Yes ☐ No ☐ N/A	
D) Transmission and power lines designed to reduce avian collision and electrocutions? (BIO-7.5)	☐Yes ☐ No ☒ N/A	
E) DB or BM present during all disturbance activities with potential impact to soil, vegetation and wildlife?	☒Yes ☐ No ☐ N/A	
F) Noise levels less than 60 dBA during construction?(BIO-8)	☐Yes ☐ No ☒ N/A	
G) Night lighting avoids wildlife habitat?(BIO-7.7)	☐Yes ☐ No ☒ N/A	
H) Vehicles/equipment checked for DT prior to movement (BIO-7.8)	☒Yes ☐ No ☐ N/A	
I) Wildlife pitfall (trenches/bores) and entrapment (pipes/culverts) areas checked - note check times, start/end of day status [ramps/covered/capped @ end of day](BIO-7.9, 10)	☒Yes ☐ No ☐ N/A	
J) BM completed all DT patrolling along Harper Lake Rd. for the day?(see COC BIO-7.8 for schedule)	☐Yes ☐ No ☒ N/A	
K) Only biologically non-toxic agents/sealants being used on road surfacing?(BIO-7.6)	☐Yes ☐ No ☒ N/A	
L) No standing water, note check times/locations (BIO-7.12)	☒Yes ☐ No ☐ N/A	
M) Wildlife injured, or road kill removed? note species/location (BIO-7.11)	☐Yes ☐ No ☒ N/A	
N) AB informed of hazardous spills with proper clean up/disposal, toxins avoided, hazardous materials stored in approved locations (BIO-7.13)	☐Yes ☐ No ☒ N/A	
O) Trash/food in sealed containers, removed daily (BIO-7.14)	☒Yes ☐ No ☐ N/A	
P) No pets/firearms/weapons, wildlife not fed (BIO-7.14)	☒Yes ☐ No ☐ N/A	
Q) If present, are invasive weed species below reporting threshold? Describe (see Weed ID Guide Instructions)(BIO-7.15)	☐Yes ☐ No ☒ N/A	
R) Erosion control (eg. silt fences) present and functioning (BIO-7.16)	☐Yes ☐ No ☒ N/A	
S) Special status species observed? Describe	☐Yes ☒ No ☐ N/A	

AB=Authorized Biologist, BM=Biological Monitor, DT=Desert Tortoise, COC=California Energy Commission Conditions of Certification

Signature: Ron Walker

Biological Monitor:	Ron Walker	Date:	07-27-2011

Incidental Species: Daily notation of species other than WBO, DT, AB, KF or MGS

Incidental Species Observed		
Species	**Activity (of species)**	**Location**
Sage Sparrow	Flying	Alpha West

Notes/Comments Section				
Notes/comments are to be captured in chronological order. If follow up is required, please include notes detailing this.				
Time	*ACT*[1]	*LOC*[2]	*Notes/Comments*	*CL*[3]

***Activity (ACT)*[1]**

1. *DT Fencing*
2. *Access/egress*
3. *Clear/grub*
4. *Grading*
5. *Excavation*
6. *UXO Activities*
7. *SWPPP*
8. *Other (specify)*

***Location (LOC)*[2]**

1. *DT Fence*
2. *Access Road*
3. *Drainage*
4. *Other* _____
5. *Other* _____
6. *Other* _____
7. *Other* _____

***Compliance Levels (CL)*[3]**

1. *Acceptable*
2. *Notification*
3. *Non-compliance*
4. *Non-compliance Resolution*

Signature: _____

Mojave Solar Project

Biological Monitor:	Ron Walker	**Date:**	07-27-2011	
Starting Location and Activity:	alpha West Meotech Inversion	**Site Code:**	**MSP**	
Weather:	Clear	**Start** 6:00AM	**Midday** 12:00	**End** 3:30 PM
Rainfall?	**Temp:**	82°	93°	99°
Y (N)	**% Cloud Cover:**	2%	2%	2%

Non-Disturbance Buffer Monitoring Section (Nesting birds, WBO, Kit fox, Badger Penned DT)		
Species, Location, and ID:		
Condition	***Compliance?***	***Comments***
A) Are exclusionary fencing and/or erosion control measures intact, with no sign of trespass or encroachment of disturbance activities? Describe	■Yes □ No □ N/A	
B) Are sensitive species still present inside the fencing? Describe their status and behavior.	■Yes □ No □ N/A	Kit Fox
C) Any sensitive species observed immediately outside fencing? Describe	□Yes ■ No □ N/A	
D) Does the current fencing configuration appear to sufficiently encompass the applicable resources? Describe	■Yes □ No □ N/A	
E) Is adaptive management needed? Recommendations.	□Yes ■ No □ N/A	
F) Is all stockpiling kept away from buffer, posing no threat for siltation/debris entering into buffer? Describe	□Yes □ No ■N/A	

Raven Monitoring: Bi-weekly reconnaissance focusing on potential subsidies (waste disposal areas, erected structures and staged equipment, water)

Raven Monitoring Data					
Number of Ravens Observed	**Time**	**Location**	**Activity** (flying; ground; perching and type of perch).	**Nest Sites** (Location; occupied; unoccupied)	**If Unoccupied, was it removed?**

Signature: Ron Walker

Daily Biological Monitoring Log
Mojave Solar Project

California Energy Commission Final Conditions of Certification 09-AFC-5

Biological Monitor:	Peggy Wood		***Date:***	7-29-11
Starting Location and Activity:	Alpha West		***Site Code:***	***Mojave Solar***
Weather:		***Start*** 05 :45 AM	***Midday*** 11 :30	***End*** 17: 00 PM
Rainfall?	***Temp:***	72 F	98 F	104 F
Y (N)	***% Cloud Cover:***	5%	10%	10%

ALL MONITORS WILL NOTIFY A POINT OF CONTACT (POC) UPON ARRIVAL ONSITE

Contact Designated Biologist **Peggy Wood C: (435) 881-6444** and Mojave Solar POC or foreman on arrival.
For health and safety issues, please contact the Field Safety Director (AECOM) Shelly Dayman C: (619) 820-0768.
In emergencies, dial 911

General Monitoring Section		
Condition	***Compliance?***	***Comments***
A) Construction activity (including spoils/topsoil) and traffic ONLY within flagged areas?(BIO-7.1)	Yes No N/A	
B) Speed limit 25mph on Harper Lake Rd. and 15 mph on unfenced, unpaved access roads. No off road activity in unflagged areas? (BIO-7.2,3)	Yes No N/A	
C) DT exclusion fence intact? Note any repairs made to fencing (see fence inspection timing details in BIO-11.1A).	Yes No N/A	
D) Transmission and power lines designed to reduce avian collision and electrocutions? (BIO-7.5)	Yes No N/A	
E) DB or BM present during all disturbance activities with potential impact to soil, vegetation and wildlife?	Yes No N/A	
F) Noise levels less than 60 dBA during construction?(BIO-8)	Yes No N/A	
G) Night lighting avoids wildlife habitat?(BIO-7.7)	Yes No N/A	
H) Vehicles/equipment checked for DT prior to movement (BIO-7.8)	Yes No N/A	
I) Wildlife pitfall (trenches/bores) and entrapment (pipes/culverts) areas checked - note check times, start/end of day status [ramps/covered/capped @ end of day](BIO-7.9, 10)	Yes No N/A	
J) BM completed all DT patrolling along Harper Lake Rd. for the day?(see COC BIO-7.8 for schedule)	Yes No N/A	
K) Only biologically non-toxic agents/sealants being used on road surfacing?(BIO-7.6)	Yes No N/A	
L) No standing water, note check times/locations (BIO-7.12)	Yes No N/A	
M) Wildlife injured, or road kill removed? note species/location (BIO-7.11)	Yes No N/A	
N) AB informed of hazardous spills with proper clean up/disposal, toxins avoided, hazardous materials stored in approved locations (BIO-7.13)	Yes No N/A	
O) Trash/food in sealed containers, removed daily (BIO-7.14)	Yes No N/A	
P) No pets/firearms/weapons, wildlife not fed (BIO-7.14)	Yes No N/A	
Q) If present, are invasive weed species below reporting threshold? Describe (see Weed ID Guide Instructions)(BIO-7.15)	Yes No N/A	
R) Erosion control (eg. silt fences) present and functioning (BIO-7.16)	Yes No N/A	
S) Special status species observed? Describe	Yes No N/A	

AB=Authorized Biologist, BM=Biological Monitor, DT=Desert Tortoise, COC=California Energy Commission Conditions of Certification

Signature: Peggy Wood

Incidental Species: Daily notation of species other than WBO, DT, AB, KF or MGS

Incidental Species Observed		
Species	**Activity (of species)**	**Location**

Notes/Comments Section

Notes/comments are to be captured in chronological order. If follow up is required, please include notes detailing this.

Time	*ACT*[1]	*LOC*[2]	*Notes/Comments*	*CL*[3]
0600	8	4	Meet with Ram Jack crew in Alpha West for	
			helical testing of soil this morning.	
0900			Meet Scott Nolan w/ Nick Grill at Ryken Well.	
			After determining schedule to replace valve,	
			I go monitor drilling activity while Jimmy	
			goes to monitor Ram Jack. I complete nesting	
			bird surveys ahead of drilling in Beta West.	
1300			Complete drilling in Beta West.	
1420			Meet Nick Grill + 3, give WEAP training.	
			All 3 additional monitors arrive for work	
			@ Ryken Well.	
1600			Work left incomplete on well. Scheduled to	
			complete Wed. morning.	
1620			Return to Ram Jack crew to relieve Jimmy	
			McMoran so he can depart. Disassembling	
			the drill rig takes time.	

Activity (ACT)[1]
1. *DT Fencing*
2. *Access/egress*
3. *Clear/grub*
4. *Grading*
5. *Excavation*
6. *UXO Activities*
7. *SWPPP*
8. *Other (specify)*

Location (LOC)[2]
1. *DT Fence*
2. *Access Road*
3. *Drainage*
4. *Other* _____
5. *Other* _____
6. *Other* _____
7. *Other* _____

Compliance Levels (CL)[3]
1. *Acceptable*
2. *Notification*
3. *Non-compliance*
4. *Non-compliance Resolution*

Signature: Peggy Wood

NESTING BIRD PRE-CONSTRUCTION SURVEY DATA SHEET

Site: MSP Location: ALPHA WEST Size of Survey Area: 500' Proposed Activity: GEOTECHNICAL BORING Page 1 of 2

Survey Date: 07/24/2011 Construction to begin (estimate): 08/ /

GPS Unit	Surveyor	GPS Unit	Surveyor
GARMIN #2	RON WALKER		

	Time	Temp (°F)	Wind (mph or Beaufort)	Precip.	Cloud Cover (%)
Start	0830	84°	0-3 MPH	0	0 %
End	1630	108°			

Sunrise/set 5:58 / 7:51 am/pm

Potential Nests:

Nest ID (GPS IDENT Code*)	Bird Species	GPS Coordinates for Nest Site (NAD 83 Zn 11N)	Survey # (1 or 2)	Nesting activity/ evidence observed[2]	Current Nest Status[3] (AB, AI, PA, NA)	Comments (Note nest characteristics and type, stage, and condition [fresh material, etc.]. If present, # of birds, age, behavior, etc.)[4]	Photo Ref	Surveys for Nest complete ?	If surveys complete action required? (N=none, B=buffer)
		/	1 2					Y N	N B
		/	1 2					Y N	N B
		/	1 2					Y N	N B
		/	1 2					Y N	N B
		/	1 2			No nests found		Y N	N B
		/	1 2					Y N	N B
		/	1 2					Y N	N B
		/	1 2					Y N	N B
		/	1 2					Y N	N B
		/	1 2					Y N	N B
		/	1 2					Y N	N B

*IDENT Code: the unique 8-digit code that identifies the individual nest within the project site (e.g., ABBSD001). See page 3 for nomenclature and codes.

[2] **Nesting Bird Activity or Evidence Present: DD**-distraction display, **CB**- courtship behavior, **Ag**- agitated behavior, anxiety, or distress calls; **FM**-fresh nesting material, **E**-eggs, **I**- incubating female, **C**-chicks present, **F**- fledglings present, **Pr**-fresh prey remains, **Ef**-Eggshell fragments, **NONE**-no sign detected.

[3] **Nest Status: A = Active** [confirmed by visual detection of adult birds building (**AB**), sitting on nest (**AI**), or caring for young (**AY**)], **PA = Potentially Active** (current activity not confirmed, but sign or adult behavior indicates possible recent use or presence of nest where contents are uncertain), **NA = Not Active** (no birds observed at or near nest exhibiting breeding behavior and no fresh nesting material present).

[4] Comments: If birds are observed at the nest or in the vicinity, watch them from a distance to observe the # of birds, their age (adult or juvenile), behaviors, and determine the nesting stage. Use the notes section below to add detail and map out the nest/adjacent areas being used by the birds. This is important to determine appropriate buffer zones.

*Reviewed by surveyor (initials, date):*_____ *Approved by team leader (initials, date):*_____

Site: MSP Location: Alpha West Survey Date: 07/24/2011

Other Species Detected (list sensitive wildlife species and plants detected as well as incidentals. For special-status that are to be avoided, salvaged, or relocated in association with the construction phase record IDENT Code, GPS Coordinates, and relevant notes [e.g., nesting]):

Lecontes Thrasher
Sage Sparrow
Mourning Dove

Additional Comments/Notes:

None

*Reviewed by surveyor (initials, date):*_____ *Approved by team leader (initials, date):*_____

NESTING BIRD PRE-CONSTRUCTION SURVEY DATA SHEET

Site: MSP Location: Alpha West Size of Survey Area: 500 ft² Proposed Activity: Geo-tech drilling Page 1 of 1

Survey Date: 7/25/11 Construction to begin (estimate): 8/22/11

Holes 1-8

GPS Unit	Surveyor	GPS Unit	Surveyor
personal	P. Wood		
Garmin 2	R. Walker		

	Time	Temp (°F)	Wind (mph or Beaufort)	Precip.	Cloud Cover
Start	0930	85	0-2	0	10%
End	1510	103	3-6	0	40%

Sunrise/set 0600 am/pm

Potential Nests:

Nest ID (GPS IDENT Code*)	Bird Species	GPS Coordinates for Nest Site (NAD 83 Zn 11N)	Survey # (1 or 2)	Nesting activity/ evidence observed[2]	Current Nest Status[3] (AB, AI, PA, NA)	Comments (Note nest characteristics and type, stage, and condition [fresh material, etc.]. If present, # of birds, age, behavior, etc.)[4]	Photo Ref	Surveys for Nest complete ?	If su com act requ (N=n B=bu
NONE		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N

*IDENT Code: the unique 8-digit code that identifies the individual nest within the project site (e.g., ABBSD001). See page 3 for nomenclature and codes.

[2] Nesting Bird Activity or Evidence Present: DD-distraction display, CB- courtship behavior, Ag- agitated behavior, anxiety, or distress calls; FM-fresh nesting material, E-eggs, I- incubating female, C-chi present, F- fledglings present, Pr-fresh prey remains, Ef-Eggshell fragments, NONE-no sign detected.

[3] Nest Status: A = Active [confirmed by visual detection of adult birds building (AB), sitting on nest (AI), or caring for young (AY)], PA = Potentially Active (current activity not confirmed, but sign or adult behavior indicates possible recent use or presence of nest where contents are uncertain), NA = Not Active (no birds observed at or near nest exhibiting breeding behavior and no fresh nesting material pres

[4] Comments: If birds are observed at the nest or in the vicinity, watch them from a distance to observe the # of birds, their age (adult or juvenile), behaviors, and determine the nesting stage. Use the notes s below to add detail and map out the nest/adjacent areas being used by the birds. This is important to determine appropriate buffer zones.

Reviewed by surveyor (initials, date): P.W. 7/25/11 *Approved by team leader (initials, date):* P.W. 7/25/11

MSP

NESTING BIRD PRE-CONSTRUCTION SURVEY DATA SHEET

MSP : P. Wood Location: Alpha West Size of Survey Area: 500 ft² Proposed Activity: Geo-tech drilling Page 1 of 1

ey Date: 7/26/11 Construction to begin (estimate): 8/22/11

Holes 9-18

PS Unit	Surveyor	GPS Unit	Surveyor
		personal	P. Wood

	Time	Temp (°F)	Wind (mph or Beaufort)	Precip.	Cloud Cover (%)
Start	0555	73	0-1	0	3%
End	1345	103	3-5	0	0%

Sunrise/set 06:01 am/pm

ential Nests:

Nest ID PS IDENT Code*)	Bird Species	GPS Coordinates for Nest Site (NAD 83 Zn 11N)	Survey # (1 or 2)	Nesting activity/ evidence observed[2]	Current Nest Status[3] (AB, AI, PA, NA)	Comments (Note nest characteristics and type, stage, and condition [fresh material, etc.]. If present, # of birds, age, behavior, etc.)[4]	Photo Ref	Surveys for Nest complete ?	If surveys complete action required? (N=none, B=buffer)
NONE		/	1 2					Y N	N B
		/	1 2					Y N	N B
		/	1 2					Y N	N B
		/	1 2					Y N	N B
		/	1 2					Y N	N B
		/	1 2					Y N	N B
		/	1 2					Y N	N B
		/	1 2					Y N	N B
		/	1 2					Y N	N B
		/	1 2					Y N	N B
		/	1 2					Y N	N B

:NT Code: the unique 8-digit code that identifies the individual nest within the project site (e.g., ABBSD001). See page 3 for nomenclature and codes.

sting Bird Activity or Evidence Present: DD-distraction display, CB- courtship behavior, Ag- agitated behavior, anxiety, or distress calls; FM-fresh nesting material, E-eggs, I- incubating female, C-chicks ent, F- fledglings present, Pr-fresh prey remains, Ef-Eggshell fragments, NONE-no sign detected.

st Status: A = Active [confirmed by visual detection of adult birds building (AB), sitting on nest (AI), or caring for young (AY)], PA = Potentially Active (current activity not confirmed, but sign or adult avior indicates possible recent use or presence of nest where contents are uncertain), NA = Not Active (no birds observed at or near nest exhibiting breeding behavior and no fresh nesting material present).

mments: If birds are observed at the nest or in the vicinity, watch them from a distance to observe the # of birds, their age (adult or juvenile), behaviors, and determine the nesting stage. Use the notes section w to add detail and map out the nest/adjacent areas being used by the birds. This is important to determine appropriate buffer zones.

Reviewed by surveyor (initials, date): PW 7/26/11 *Approved by team leader (initials, date):* PW 7/26/11

NESTING BIRD PRE-CONSTRUCTION SURVEY DATA SHEET

Site: MSP Location: Alpha West // Alpha East Size of Survey Area: 500 ft² Proposed Activity: Geo-tech drilling Page 1 of 1

Survey Date: 7/27/11 Construction to begin (estimate): 8/22/11

→ Holes 19-22 → Holes 23-35

GPS Unit	Surveyor	GPS Unit	Surveyor
personal	P. Wood		
Garmin 4	J. McMoran		

	Time	Temp (°F)	Wind (mph or Beaufort)	Precip.	Cloud Cover
Start	0550	67 F	0-1	0	0%
End	1810	102 F	3-5	0	0%

Sunrise/set 0601 am/pm

Potential Nests:

Nest ID (GPS IDENT Code*)	Bird Species	GPS Coordinates for Nest Site (NAD 83 Zn 11N)	Survey # (1 or 2)	Nesting activity/ evidence observed[2]	Current Nest Status[3] (AB, AI, PA, NA)	Comments (Note nest characteristics and type, stage, and condition [fresh material, etc.]. If present, # of birds, age, behavior, etc.)[4]	Photo Ref	Surveys for Nest complete ?	If sur com act requi (N=n B=bu
NONE		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N

*IDENT Code: the unique 8-digit code that identifies the individual nest within the project site (e.g., ABBSD001). See page 3 for nomenclature and codes.

[2] **Nesting Bird Activity or Evidence Present: DD**-distraction display, **CB**- courtship behavior, **Ag**- agitated behavior, anxiety, or distress calls; **FM**-fresh nesting material, **E**-eggs, **I**- incubating female, **C**-chi present, **F**- fledglings present, **Pr**-fresh prey remains, **Ef**-Eggshell fragments, **NONE**-no sign detected.

[3] **Nest Status: A = Active** [confirmed by visual detection of adult birds building (**AB**), sitting on nest (**AI**), or caring for young (**AY**)], **PA = Potentially Active** (current activity not confirmed, but sign or adult behavior indicates possible recent use or presence of nest where contents are uncertain), **NA = Not Active** (no birds observed at or near nest exhibiting breeding behavior and no fresh nesting material pres

[4] Comments: If birds are observed at the nest or in the vicinity, watch them from a distance to observe the # of birds, their age (adult or juvenile), behaviors, and determine the nesting stage. Use the notes s below to add detail and map out the nest/adjacent areas being used by the birds. This is important to determine appropriate buffer zones.

Reviewed by surveyor (initials, date): PW 7/27/11 *Approved by team leader (initials, date):* PW 7/27/11

NESTING BIRD PRE-CONSTRUCTION SURVEY DATA SHEET

Site: MSP Location: Beta West Size of Survey Area: 500 ft² Proposed Activity: drilling Page 1 of 1

Survey Date: 7/29/11 Construction to begin (estimate): 8/22/11

GPS Unit	Surveyor	GPS Unit	Surveyor
Garmin 14	P. Wood		

	Time	Temp (°F)	Wind (mph or Beaufort)	Precip.	Cloud Cover
Start	0950	88°F	0-1	0	15%
End	1230	103°F	0-3	0	25%

Sunrise/set 0602 am/pm

Potential Nests:

Nest ID (GPS IDENT Code*)	Bird Species	GPS Coordinates for Nest Site (NAD 83 Zn 11N)	Survey # (1 or 2)	Nesting activity/ evidence observed[2]	Current Nest Status[3] (AB, AI, PA, NA)	Comments (Note nest characteristics and type, stage, and condition [fresh material, etc.]. If present, # of birds, age, behavior, etc.)[4]	Photo Ref	Surveys for Nest complete ?	If sur comp act requi (N=n B=bu
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N
		/	1 2					Y N	N

*IDENT Code: the unique 8-digit code that identifies the individual nest within the project site (e.g., ABBSD001). See page 3 for nomenclature and codes.

[2] Nesting Bird Activity or Evidence Present: DD-distraction display, CB- courtship behavior, Ag- agitated behavior, anxiety, or distress calls; FM-fresh nesting material, E-eggs, I- incubating female, C-chi present, F- fledglings present, Pr-fresh prey remains, Ef-Eggshell fragments, NONE-no sign detected.

[3] Nest Status: A = Active [confirmed by visual detection of adult birds building (AB), sitting on nest (AI), or caring for young (AY)], PA = Potentially Active (current activity not confirmed, but sign or adult behavior indicates possible recent use or presence of nest where contents are uncertain), NA = Not Active (no birds observed at or near nest exhibiting breeding behavior and no fresh nesting material pres

[4] Comments: If birds are observed at the nest or in the vicinity, watch them from a distance to observe the # of birds, their age (adult or juvenile), behaviors, and determine the nesting stage. Use the notes s below to add detail and map out the nest/adjacent areas being used by the birds. This is important to determine appropriate buffer zones.

Reviewed by surveyor (initials, date): _____ *Approved by team leader (initials, date):* _____

ATTACHMENT 4
WILDLIFE SPECIES DETECTED DURING SURVEYS AND MONITORING

WILDLIFE SPECIES DETECTED DURING
BIOLOGICAL COMPLIANCE CLEARANCE SURVEYS AND MONITORING
July 2011

Scientific Name	Common Name
INVERTEBRATES	
Family Formicidae	Ants
Pogonomyrmex barbatus	Red harvester ant
AMPHIBIANS – None noted	
REPTILES	
Cnemidophorus tigris	Western whiptail lizard
Gambelia wislizenii	Long-nosed leopard lizard
Masticophis flagellum piceus	Western coach whip snake
Uta stansburiana	Side-blotched lizard
BIRDS	
Accipiter cooperii	Cooper's hawk
Amphispiza belli	Sage sparrow
Callipepla californica	California quail
Corvus corax	Common raven
Eremophila alpestris[2]	Horned lark[2]
Falco mexicanus	Prairie falcon
Falco sparverius	American kestrel
Lanius ludovicianus	Loggerhead shrike
Streptopelia decaocto	Eurasian collared dove
Toxostoma lecontei	Le Conte's thrasher
Zenaida macroura	Mourning dove
MAMMALS	
Ammospermophilus leucurcus	Antelope ground squirrel
Dipodomys merriami	Merriam's kangaroo rat
Vulpes macrotis arsipus	Desert kit fox

[1] CDFG watch list
[2] State species of special concern
[3] State threatened
[4] Federally threatened or protected

ATTACHMENT 5
WEAP TRAINING LOG

Certification of Completion
Worker Environmental Awareness Program
Mojave Solar Project (09-AFC-5)

This is to acknowledge these individuals have completed a mandatory California Energy Commission-approved Worker Environmental Awareness Program (WEAP). The WEAP includes pertinent information on biological, cultural, and paleontological resources for all personnel (that is, construction supervisors, crews, and plant operators) working on site or at related facilities. By signing below, the participant indicates that he/she understands and shall abide by the guidelines set forth in the program materials. Include this completed form in the Monthly Compliance Report.

No.	Employee Name	Title/Company	Signature
1.	Frank Moreland	Geol. Ninyo & Moore	[illegible]
2.	Matt Gerpheide	Engineer Ninyo + Moore	[illegible]
3.	Frank Humphries	AECOM	[illegible]
4.	Ben Borkan	SWCA	[illegible]
5.	William Madrigal	monitor / Aecom	[illegible]
6.	Ron Walker	AECOM	[illegible]
7.	Dave Hogan	Baja EX	[illegible]
8.	Kenny Calvin	Laborers Local 1184	[illegible]
9.	Manuel Pimentel	Baja EX	[illegible]
10.	Billy John KANE	BAJA EX	[illegible]
11.	[illegible]	B.V.	[illegible]
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Biological Trainer: P. Wood Signature: Peggy Wood Date: 7/25/11

Cultural Trainer: Patritrick McGinnis Signature: _____ Date: 7/25/11

Paleo Trainer: Jess DeBuske Signature: _____ Date: 7/25/11

Certification of Completion
Worker Environmental Awareness Program
Mojave Solar Project (09-AFC-5)

This is to acknowledge these individuals have completed a mandatory California Energy Commission-approved Worker Environmental Awareness Program (WEAP). The WEAP includes pertinent information on biological, cultural, and paleontological resources for all personnel (that is, construction supervisors, crews, and plant operators) working on site or at related facilities. By signing below, the participant indicates that he/she understands and shall abide by the guidelines set forth in the program materials. Include this completed form in the Monthly Compliance Report.

No.	Employee Name	Title/Company	Signature
1.	Tim Davis Jr.	PM Straight Line	Tim Davis Jr.
2.	JOSH SANDERS	Q.C. / RAM JACK	Josh Sanders
3.	Tim Appel	PM STRAIGHTLINE	[illegible]
4.	DAVID RITCHIE	ABENER	David Ritchie
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Biological Trainer: P. Wood Signature: Peggy Wood Date: 7/27/11

Cultural Trainer: Frank Humphries Signature: [illegible] Date: 7/27/11

Paleo Trainer: Ben Borkan Signature: [illegible] Date: 7/27/11

Certification of Completion
Worker Environmental Awareness Program
Mojave Solar Project (09-AFC-5)

This is to acknowledge these individuals have completed a mandatory California Energy Commission-approved Worker Environmental Awareness Program (WEAP). The WEAP includes pertinent information on biological, cultural, and paleontological resources for all personnel (that is, construction supervisors, crews, and plant operators) working on site or at related facilities. By signing below, the participant indicates that he/she understands and shall abide by the guidelines set forth in the program materials. Include this completed form in the Monthly Compliance Report.

No.	Employee Name	Title/Company	Signature
1.	Shirley Hibbetts	Envirо Chek	Shirley Hibbetts
2.	Art Hibbetts	Enviro Chek	Art Hibbetts
3.	Steve Montes	Merrell Johnson	[illegible]
4.	Rene Arguijo	Merrell Johnson	Rene Arguijo
5.	Stephanie Jow	AECOM	[illegible]
6.	Ray Huante	AECOM	[illegible]
7.	Jim Sargent	IUOE # 12	Jim Sargent
8.	Alberto Salas	TEYMA	[illegible]
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Biological Trainer: Peggy Wood Signature: Peggy Wood Date: 7/28/11

Cultural Trainer: Frank Humphries Signature: [illegible] Date: 7/28/11

Paleo Trainer: Ben Barkan Signature: [illegible] Date: 7/28/11

Certification of Completion
Worker Environmental Awareness Program
Mojave Solar Project (09-AFC-5)

This is to acknowledge these individuals have completed a mandatory California Energy Commission-approved Worker Environmental Awareness Program (WEAP). The WEAP includes pertinent information on biological, cultural, and paleontological resources for all personnel (that is, construction supervisors, crews, and plant operators) working on site or at related facilities. By signing below, the participant indicates that he/she understands and shall abide by the guidelines set forth in the program materials. Include this completed form in the Monthly Compliance Report.

No.	Employee Name	Title/Company	Signature
1.	Nick Grill	Terawatt	[illegible]
2.	Arnold Roberts	Terawatt	[illegible]
3.	Jedidiah Roberts	Terawatt	[illegible]
4.	Jeff Gillette	Terawatt	[illegible]
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Biological Trainer: Peggy Wood Signature: Peggy Wood Date: 7/29/11

Cultural Trainer: _____ Signature: _____ Date: ___/___/___

Paleo Trainer: _____ Signature: _____ Date: ___/___/___

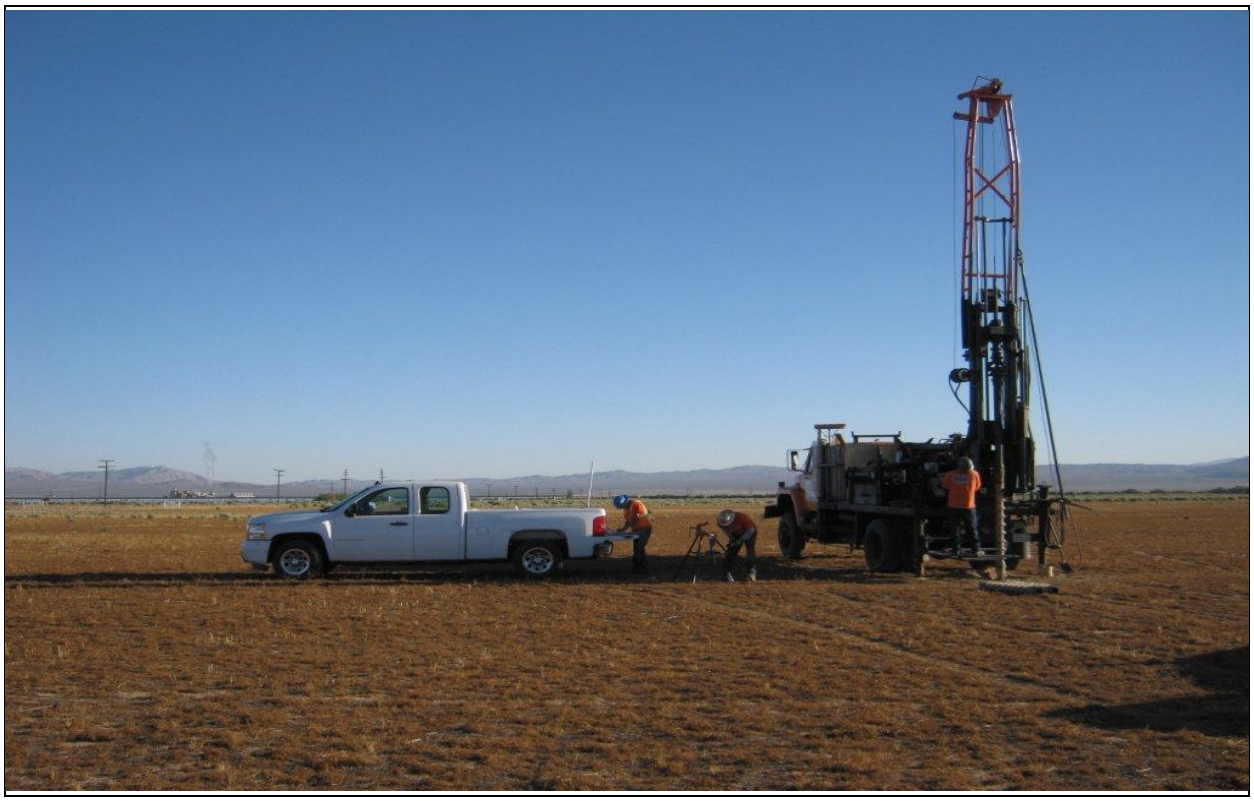
ATTACHMENT 6
PHOTOGRAPHS

In Alpha East, looking north at geotechnical drill rig setup. July 26, 2011

Looking east in Alpha West at geotechnical drill rig. July 26, 2011

Automated external defibrillator (AED) onsite July 26, 2011

Close-up of AED July 26, 2011



Looking north at geotechnical drilling taking place on Alpha East. July 26, 2011

Closer view of geotechnical drilling crew working in Alpha East July 26, 2011

ATTACHMENT B

MOJAVE SOLAR PROJECT
MONTHLY COMPLIANCE REPORT FOR
CULTURAL RESOURCES
SAN BERNARDINO COUNTY, CALIFORNIA

Monthly Compliance Report #4
July 2011 Reporting Period

Abengoa Solar Monthly Cultural Resources Monitoring Report

July 2011

Patrick McGinnis, Cultural Resources Specialist

Cultural resource monitoring began for geotechnical boring and micropiles and helical piles for soil testing. Geotechnical boring began on July 25th and are ongoing. Micropile and helical pile testing was completed in early August. Worker Environmental Awareness Training for biology, paleontology, and cultural resources was held for the monitors and all of the construction crew. Only one crew was working for geotechnical boring and one crew was present for the micropile and helical pile testing which did not begin until Thursday, July 28th. Work was conducted in both Alpha and Beta sections throughout the reporting time period. One cultural resources monitor and one Native American monitor were present with each crew. The cultural monitors were Frank Humphries and Stephanie Jow. The Native American monitors were William Madrigal and Raymond Huaute. Monitors were present during all ground disturbing activities. No cultural resources were identified during the reporting period.

ATTACHMENT C

MOJAVE SOLAR PROJECT
MONTHLY COMPLIANCE REPORT FOR
PALEONTOLOGICAL RESOURCES
SAN BERNARDINO COUNTY, CALIFORNIA

Monthly Compliance Report #4
July 2011 Reporting Period

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Pasadena, CA 91105
Tel 626.240.0587 Fax 626.240.0607
www.swca.com

Mr. Joe Douglas, CPM
(09-AFC-5C)
California Energy Commission
1516 Ninth Street (MS-2000)
Sacramento, CA 95814

August 9, 2011

RE: PAL-5, Summary of paleontological monitoring and mitigation activities at the Mojave Solar Plant (MSP) for the period of July 2011

Dear Mr. Douglas,

This letter is to update you on SWCA Environmental Consultants paleontological monitoring and mitigation activities at the MSP site during the period of July 1 to July 31, 2011. SWCA's PRM monitored geotechnical boring activities occurring deeper than 3 ft in both the Alpha and Beta sites from July 25th to July 31st, 2011. No paleontological resources were discovered, and no issues or concerns regarding paleontological resources were identified during this time.

It is a pleasure working with you on this project. If you have any questions please do not hesitate to contact me.

Respectfully,

Cara Corsetti, M.S.
Principal
Paleontological Resources Specialist, MSP

Attachment D

Compliance Matrix

Date Modified:	8/12/2011	ABENGOA SOLAR	Document	COMPLIANCE MATRIX	
			Project	MOJAVE SOLAR PROJECT	
			Location	Harper Lake, California	
Cond. #	Sort Code	Verification/Action/Submittal Required by Project Owner	Timeframe	Date Due to CEC CPM	Status
COMPLIANCE-1	PC, CONS, COMM, OPS	The CPM, responsible Energy Commission staff, and delegated agencies or consultants shall be guaranteed and granted unrestricted access to the power plant site, related facilities, project-related staff, and the records maintained onsite, for the purpose of conducting audits, surveys, inspections, or general site visits. Although the CPM will normally schedule site visits on dates and times agreeable to the project owner, the CPM reserves the right to make unannounced visits at any time.	As required		Ongoing
COMPLIANCE-2	PC, CONS, COMM, OPS	Maintain project files on-site or at an alternative site approved by the CPM for the life of the project, unless a lesser period of time is specified by the Conditions. The files shall contain copies of all "as-built" drawings, documents submitted as verification for Conditions, and other project-related documents. Energy Commission staff and delegate agencies shall, upon request, be given unrestricted access to the files maintained pursuant to this Condition.	As required		Not Started
COMPLIANCE-3	PC, CONS, COMM, OPS	Verification and Submittal Instructions	As required		Ongoing
COMPLIANCE-5	PC, CONS, COMM, OPS	A compliance matrix shall be submitted to the CPM along with each monthly and annual compliance report.	MCR/ACR	Monthly, Annually	Ongoing
COMPLIANCE-6	PC, CONS, COMM, OPS	The first MCR is due one month following the Energy Commission business meeting date upon which the project was approved, unless otherwise agreed to by the CPM. The first MCR shall include the AFC number and an initial list of dates for each of the events identified on the Key Events List found at the end of this section of the Decision. During pre-construction and construction of the project, submit an original and an electronic searchable version of the MCR within 10 working days after the end of each reporting month. MCR shall be clearly identified for the month being reported.	10 working days after end of each month	Monthly	Ongoing
COMPLIANCE-7	COMM, OPS	ACR: After construction is complete, the project owner shall submit Annual Compliance Reports instead of Monthly Compliance Reports. The reports are for each year of commercial operation and are due to the CPM each year at a date agreed to by the CPM. Annual Compliance Reports shall be submitted over the life of the project unless otherwise specified by the CPM.	ACR	Annually	Not Started
COMPLIANCE-9	PC, CONS, COMM, OPS	Annual Energy Facility Compliance Fee: Pursuant to the provisions of section 25806(b) of the Public Resources Code, the project owner is required to pay an annual compliance fee, which is adjusted annually.	Day of Comm. Dec., Annually thereafter by July 1	Sept. 16, 2010; Annually thereafter by July 1	Ongoing
COMPLIANCE-10	PC, CONS, COMM, OPS	The telephone number shall be posted at the project site and made easily visible to passersby during construction and operation. All recorded complaints shall be responded to within 24 hours.	within 24 hours of receipt	within 24 hours of receipt	
COMPLIANCE-10	PC, CONS, COMM, OPS	Any changes to the telephone number shall be submitted immediately to the CPM, who will update the web page.	As required		
COMPLIANCE-10	PC, CONS, COMM, OPS	The project owner shall report and provide copies to the CPM of all complaint forms, including noise and lighting complaints, notices of violation, notices of fines, official warnings, and citations, within 10 days of receipt. Complaints shall be logged and numbered. Noise complaints shall be recorded on the form provided in the NOISE Conditions of Certification. All other complaints shall be recorded on the complaint form located at the end of this section.	within 10 days of receipt	within 10 days of receipt	Ongoing
COMPLIANCE-11	OPS	Planned closure: In order to ensure that a planned facility closure does not create adverse impacts, a closure process that provides for careful consideration of available options and applicable laws, ordinances, regulations, standards, and local/regional plans in existence at the time of closure, will be undertaken. To ensure adequate review of a planned project closure, the project owner shall submit a proposed facility closure plan to the Energy Commission for review and approval at least 12 months (or other period of time agreed to by the CPM) prior to commencement of closure activities. The project owner shall file 120 copies (or other number of copies agreed upon by the CPM) of a proposed facility closure plan with the Energy Commission.	12 months (or other period of time agreed to by the CPM) prior to commencement of closure activities		Not Started
COMPLIANCE-11	OPS	Prior to submittal of the proposed facility closure plan, a meeting shall be held between the project owner and the Energy Commission CPM for the purpose of discussing the specific contents of the plan. In the event that there are significant issues associated with the proposed facility closure plan's approval, or the desires of local officials or interested parties are inconsistent with the plan, the CPM shall hold one or more workshops and/or the Energy Commission may hold public hearings as part of its approval procedure.	Prior to submittal of closure plan		Not Started

Cond. #	Sort Code	Verification/Action/Submittal Required by Project Owner	Timeframe	Date Due to CEC CPM	Status
COMPLIANCE-12	COMM	Unplanned Temporary Closure/On-Site Contingency Plan: In order to ensure that public health and safety and the environment are protected in the event of an unplanned temporary facility closure, it is essential to have an on-site contingency plan in place. The on-site contingency plan will help to ensure that all necessary steps to mitigate public health and safety impacts and environmental impacts are taken in a timely manner. The project owner shall submit an on-site contingency plan for CPM review and approval. The plan shall be submitted no less than 60 days (or other time agreed to by the CPM) prior to commencement of commercial operation. The approved plan must be in place prior to commercial operation of the facility and shall be kept at the site at all times.	60 days prior to COD		Not Started
COMPLIANCE-12	OPS	Other Unplanned Closure Instructions	Various	Various	When Needed
COMPLIANCE-13	OPS	Unplanned Permanent Closure/On-Site Contingency Plan: The on-site contingency plan required for unplanned temporary closure shall also cover unplanned permanent facility closure. All of the requirements specified for unplanned temporary closure shall also apply to unplanned permanent closure. In addition, the on-site contingency plan shall address how the project owner will ensure that all required closure steps will be successfully undertaken in the event of abandonment. In the event of an unplanned permanent closure, the project owner shall notify the CPM, as well as other responsible agencies, by telephone, fax, or e-mail, within 24 hours and shall take all necessary steps to implement the on-site contingency plan. The project owner shall keep the CPM informed of the status of all closure activities.	within 24 hours of unplanned temporary closure	within 24 hours of unplanned temporary closure	When Needed
COMPLIANCE-14	PC, CONS, COMM, OPS	Amendments, Ownership Changes, Staff Approved Project Modifications and Verification Change Instructions	As required		NA
AQ-SC3	CONS	Provide the CPM the following to demonstrate control of fugitive dust emissions: A summary of all actions taken to maintain compliance with this condition; Copies of any complaints filed with the District in relation to project construction; and Any other documentation deemed necessary by the CPM and AQCMM to verify compliance with this condition. Such information may be provided via electronic format or disk.	MCR	Monthly	Ongoing
AQ-SC4	CONS	Provide a summary of all actions taken to maintain compliance with this condition; copies of any complaints filed with the District in relation to project construction; and any other documentation deemed necessary by the CPM and AQCMM to verify compliance with this condition.	MCR	Monthly	Ongoing
AQ-SC5	CONS	Include the following to demonstrate control of diesel construction-related emissions: summary of all actions taken to control diesel construction related emissions; list of all heavy equipment used on site during that month, including the owner of that equipment and a letter from each owner indicating that equipment has been properly maintained; and any other documentation deemed necessary by the CPM or AQCMM to verify compliance with this condition. Such information may be provided via electronic format or disk.	MCR	Monthly	Ongoing
AQ-SC6	COMM	Submit to the CPM a copy of the plan that identifies the size and type of the on-site vehicle and equipment fleet and the vehicle and equipment purchase orders and contracts and/or purchase schedule.	30 days prior to COD		Not Started
AQ-SC6	OPS	The plan shall be updated every other year.	ACR	Biennially	Not Started
AQ-SC7	COMM	Submit to CPM for review and approval a copy of site ODCP that identifies the dust and erosion control procedures including effectiveness and environmental data for the proposed soil stabilizer, that will be used during operation of the project and that identifies all locations of the speed limit signs.	30 days prior to COD		Not Started
AQ-SC7	OPS	Provide CPM a report indentifying the locations of all speed limit signs and a copy of the project employee and contractor training manual that clearly identifies that project employees and contractors are required to comply with the dust and erosion control procedures and on-site speed limits.	60 days after COD		Not Started
AQ-SC8	CONS & OPS	Submit any ATC, PTO, and proposed federal air permit modifications to the CPM within five working days of its submittal either by 1) the project owner to an agency, or 2) receipt of proposed modifications from an agency. Submit all modified ATC/PTO documents and all federal air permits to the CPM within 15 days of reciept.	Within 5 days of its submittal or receipt		When Needed
AQ-SC9	CONS	Provide documentation regarding any requests from the residents to be relocated for longer periods during construction and the actions taken to evaluate those requests.	MCR	Monthly	When Needed
AQ-1	COMM & OPS	Aux Boilers, operation: Make site available for inspection of records by representatives of the District, ARB, and the Energy Commission upon request.	As required		
AQ-2	COMM & OPS	Aux Boilers, fuel: Make the site available for inspection of records by representatives of the District, ARB, and the Energy Commission upon request.	As required		

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AQ-3	OPS	Aux Boilers: Include information demonstrating compliance with boiler emission rates.	ACR	Annually	
AQ-4	OPS	Aux Boilers, tuning: Make site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	Prior to expiration date annually	Annually	
AQ-5	OPS	Aux Boilers, operations log: Make site available for inspection of records and equipment by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-6	COMM	Aux Boilers, initial compliance tests: Notify the District and CPM prior to execution of test.	15 working days prior to test		
AQ-6	COMM	Submit test results to the District and CPM.	Within 180 days of initial startup		
AQ-7	OPS	Aux Boilers, annual compliance tests: Notify District of intention to perform tests.	15 business days prior to Annual test	15 business days prior to Annual test	
AQ-7	OPS	Test results submitted to the District and CPM.	6 weeks prior to expiration of permit		
AQ-8	OPS	Aux Boilers: Include information demonstrating compliance with boiler annual fuel use limit.	ACR	Annually	
AQ-9	OPS	HTF Ullage/Expansion System, operation: Make the site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-10	OPS	Only HTF in system: Make the site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-11	OPS	N2 blanket: Make the site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-12	CONS & OPS	Temp. of N2 venting coolers: Provide the District and CPM manufacturer design specifications showing compliance with this condition . Have active temperature gauges that can be inspected to show compliance with this condition.	30 days prior to installation of ullage/expansion vent system		
AQ-13	CONS & OPS	HTF Storage Tank Temp./Cooler: Provide the District and CPM manufacturer design specifications showing compliance. Active temp. gauges should be available to be inspected to show compliance.	30 days prior to installation of HTF storage tanks		
AQ-14	CONS & OPS	Provide the District and CPM manufacturer design specifications showing compliance. Have active temperature gauges that can be inspected to show ongoing compliance.	30 days prior to installation of nitrogen condensing tanks		
AQ-15	CONS & OPS	Provide the District for review and approval and the CPM for review the required Inspection, Monitoring and Maintenance plan.	30 days prior to installation of HTF storage tanks and vent systems		
AQ-16	CONS	The inspection and maintenance plan shall be submitted to the CPM for review and approval .	30 days before delivery of HTF		
AQ-16	OPS	Provide the quantity of used HTF fluid removed from the system and the amount of new HTF fluid added to the system each year.	ACR	Annually	
AQ-16	OPS	Make the site available for inspection of HTF piping Inspection and Maintenance Program records and HTF system equipment by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-17	COMM	Provide a compliance test protocol to the District for approval and CPM for review	Less than 60 days after startup		
AQ-17	COMM	Submit a test plan to the District for approval and CPM for review.	30 days prior to the compliance tests		
AQ-17	COMM	Notify the District and the CPM before the execution of the compliance tests required in AQ-18 and AQ-19.	10 working days prior to tests		
AQ-17	COMM	Test results shall be submitted to the District and to the CPM.	within 45 days after tests conducted		
AQ-18	COMM	Submit the test results to the District and to the CPM.	within 180 days after initial startup		
AQ-19	OPS	Include the test results demonstrating compliance with this condition.	ACR	Annually	
AQ-19	OPS	Make site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-20	OPS	Include the test results demonstrating compliance with this condition.	ACR	Annually	
AQ-20	OPS	Make the site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-21	OPS	Submit a compliance plan of the toxic or hazardous substances for District approval and CPM review if current non-criteria substances in the HTF become regulated as toxic or hazardous substances.	As required		
AQ-22	OPS	Make site available for inspection of records and equipment by representatives of the District, ARB, and the Energy Commission.	As required	Annually	
AQ-23	OPS	Make site available for inspection of records and equipment by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-24	COMM	The manufacturer guarantee data for the drift eliminator, showing compliance with this condition, shall be provided to the CPM and the District.	30 days prior to cooling tower operation		

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AQ-24	OPS	Include information on operating emission rates to demonstrate compliance with this condition.	ACR	Annually	
AQ-25	COMM & OPS	The cooling tower recirculation water TDS content test results shall be provided to representatives of the District, ARB, and the Energy Commission upon request.	As required		
AQ-26	COMM	Provide an emissions calculation and water sample testing protocol to the District for approval and CPM for review.	30 days prior cooling tower water test		
AQ-27	OPS	Submit to the CPM the cooling tower operating data demonstrating compliance with this condition.	ACR	Annually	
AQ-28	OPS	Make site available for inspection of records and equipment by representatives of the District, ARB, and the Energy Commission.	As required	As required	
AQ-29	OPS	Make available at request the written drift eliminator maintenance procedures for inspection by representatives of the District, ARB, and the Energy Commission.	As required	As required	
AQ-30	OPS	Make site available for inspection of equipment and records by representatives of the District, ARB, and the Energy Commission.	As required	As required	
AQ-31	OPS	Make site available for inspection of equipment and fuel purchase records by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-32	CONS	Provide the District and the CPM the specification of the hour meter.	30 days prior to installation of engine		
AQ-33	OPS	Make the site available for inspection of records and equipment by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-34	OPS	Submit records required by this condition that demonstrating compliance with the sulfur content and engine use limitations of conditions AQ-28 and AQ-30 including a photograph showing the annual reading of engine hours.	ACR		
AQ-34	OPS	Make site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-35	OPS	Make site available for inspection of records and equipment by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-36	OPS	Make site available for inspection of records and equipment by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-37	OPS	Make site available for inspection of records and equipment by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-38	COMM	Make site available for inspection of equipment by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-39	OPS	Not necessary			
AQ-40	CONS	Submit engine specifications for review and approval demonstrating that the engines meet NSPS and ARB ATCM emission limit requirements at the time of engine purchase.	30 days prior to purchase		
AQ-41	COMM & OPS	Make site available for inspection of records and equipment by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-42	OPS	Make site available for inspection of equipment and fuel purchase records by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-43	OPS	Provide the District and the CPM the specification of the hour timer.	30 days prior to installation of engine		
AQ-44	OPS	Make the site available for inspection of records and equipment by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-45	OPS	Submit records required by this condition that demonstrating compliance with the sulfur content and engine use limitations of conditions AQ-42, AQ-44 and AQ-46 including a photograph showing the annual reading of engine hours.	ACR	Annually	
AQ-45	OPS	Make the site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-46	COMM & OPS	Make the site available for inspection of records and equipment by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-47	COMM	Make site available for inspection of equipment by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-48	OPS	Not necessary	None		
AQ-49	CONS	Submit the engine specifications for review and approval demonstrating that the engines meet NSPS and ARB ATCM emission limit requirements at the time of engine purchase.	30 days prior to purchase		
AQ-50	CONS	Toll free number 1-800-635-4617 must be posted. Make site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-51	OPS	Maintain a log of all inspections, repairs and maintenance on equipment subject to Rule 461. Make site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-52	CONS	Any modifications or changes to the piping or control fitting of the vapor recovery system requires prior approval from the District. Make the site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	As required		

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AQ-53	CONS	Vapor vent pipes are to be equipped with Husky 5885 pressure relief valves or as otherwise allowed by EO. Make the site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-54	COMM	Perform tests. Determination of Static Pressure Performance of Vapor Recovery Systems at Gasoline Dispensing Facilities with Aboveground Storage Tanks, Phase I Adapters, Emergency Vents, Spill Container Drain Valve etc, Liquid Removal Test.	60 days after construction completion		
AQ-54	OPS	Perform tests. Determination of Static Pressure Performance of Vapor Recovery Systems at Gasoline Dispensing Facilities with Aboveground Storage Tanks, Phase I Adapters, Emergency Vents, Spill Container Drain Valve etc, Liquid Removal Test.	ACR	Annually	
AQ-54		Notify the District prior to performing the required tests.	10 days prior to testing		
AQ-54	COMM & OPS	The test results shall be submitted to the District after completion of the tests and shall be made available to the CPM if requested.	30 days after completion of testing		
AQ-55	CONS & OPS	Shall be installed and maintained in accordance with EO VR-401-A for EVR Phase I, and standing loss requirements. Phase II Vapor Recovery System shall be installed and maintained per G-70-116-F with the exception that hanging hardware shall be EVR Balance Phase II type hanging hardware. Make site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-56	COMM & OPS	Maintenance and repair of system components, including removal and installation of such components in the course of any required test, shall be performed by OPW Certified Technicians. Make site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-57	OPS	Maintenance and repairs conducted by an OPW trained technician annually. Make site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-58	OPS	Submit to the CPM gasoline throughput records demonstrating compliance.	ACR	Annually	
AQ-58	OPS	Maintain on site the annual gasoline throughput records and shall make the site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	As required		
AQ-59	CONS & OPS	Install, maintain, and operate EVR Phase I in compliance with CARB EO VR-401-A, and Phase II vapor recovery in accordance with G-70-116-F. In the event of conflict between these permit conditions and/or the referenced EO's the more stringent requirements shall govern. Make the site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	As required		
BIO-2	CONS	Submit to the CPM copies of all written reports and summaries that document biological resource compliance activities, including those conducted by Biological Monitors.	MCR	Monthly	Ongoing
BIO-4	CONS	Notify the CPM immediately (and no later than the following morning of the incident, or Monday morning in the case of a weekend) of any non-compliance or a halt of any site mobilization, ground disturbance, grading, construction, and operation activities. Also notify the CPM of the circumstances and actions being taken to resolve the problem.	Immediately as required		When Needed
BIO-4	CONS	Whenever corrective action is taken, a determination of success or failure will be made by the CPM within five working days after receipt of notice that corrective action is completed, or the project owner will be notified by the CPM that coordination with other agencies will require additional time before a determination can be made.	Immediately as required		When Needed
BIO-5	CONS	Provide the number of persons who have completed the training in the prior month and a running total of all persons who have completed the training to date.	MCR	Monthly	Ongoing
BIO-5	CONS, COMM & OPS	Training acknowledgement forms signed during construction shall be kept on file by the project owner for a period of at least six months after the start of commercial operation. During operation signed statements for operational personnel shall be kept on file for 6 months following termination of employment.	As required		
BIO-6	CONS	Implementation of BRMIMP measures will be reported.	MCR	Monthly	Ongoing
BIO-6	COMM	Provide to the CPM, for review and approval, a written construction closure report identifying which items of the BRMIMP have been completed etc. (see COC)	30 days after completion of construction		Not Started
BIO-7	OPS	Provide to the CPM, for review and approval, a written construction termination report identifying how measures have been completed. Additional copies shall be provided to CDFG and USFWS.	30 days after completion of construction		Not Started

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BIO-8	PC	Pre-Construction Nest Surveys and Impact Avoidance and Minimization Measures for Migratory Birds: Provide the CPM a letter-report describing the findings of the pre-construction nest surveys, including the time, date, and duration of the survey; identity and qualifications of the surveyor(s); and a list of species observed. If active nests are detected during the survey, the report shall include a map or aerial photo identifying the location of the nest and shall depict the boundaries of the no-disturbance buffer zone around the nest. Additional copies shall be provided to CDFG and USFWS.	10 days prior to site mobilization		Ongoing
BIO-13	PC	An addendum to the plan, which includes the pre-construction survey results and the CDFG approved amount of compensatory mitigation, shall be submitted.	10 days after completing burrowing owl surveys		In Progress
BIO-14	PC	American Badger and Desert Kit Fox Impact Avoidance and Minimization Measures: Submit report to CPM and CDFG after completion of badger and kit fox surveys. The report shall describe survey methods, results, mitigation measures implemented, and the results of the measures.	within 30 days of completion of surveys		In Progress
BIO-15	PC	Provide written verification to the CPM that the compensation lands or conservation easements have been aquired and recorded in favor of the approved recipients.	30 days prior to ground disturbance		Ongoing
BIO-15	COMM	Provide to the CPM verification that disturbance to desert tortoise and MGS habitat did not exceed 430 acres, and that construction activities did not result in impacts to desert tortoise, MGS, and burrowing owl habitat adjacent to work areas. If habitat disturbance exceeds that described in this analysis, the CPM shall notify of any additional funds required or lands that must be purchased.	90 days after construction completion		Not Started
BIO-15	PC	If electing to use an in-lieu fee provision, request from the Energy Commission a determination that the project's in-lieu fee proposal meets CEQA and CESA requirements.	As required		When Needed
BIO-16	PC	Project owner shall submit to the CPM a copy of the Energy Commission staff- and CDFG-approved Tamarisk Eradication Monitoring and Reporting Plan, including success criteria.	30 days prior to ground disturbance		Under revision
BIO-16	CONS, COMM, OPS	The Designated Biologist shall submit annual reports to the CPM and CDFG describing the dates, durations and results of monitoring. Reports shall fully describe any actions taken to remedy regrowth. [Monitoring and maintenance of the site shall be conducted for five years unless less monitoring can be justified. Following the first year of monitoring, if the project owner petitions to terminate the monitoring program, staff and CDFG will determine whether more years are of monitoring are needed.]	ACR	Annually (for 1-5 years)	Not Started
BIO-16	CONS, OPS	The CPM and CDFG shall verify compliance with protective measures to ensure the accuracy of the PO's mitigation, monitoring and reporting efforts; and review relevant documents maintained by the project owner, interview the project owner's employees and agents, inspect the work site and take other actions as necessary to assess compliance with or effectiveness of protective measures.	None	Annually	Not Started
BIO-17	PC	Monitoring Impacts of Solar Collection Technology on Birds: Submit to the CPM, USFWS, and CDFG a draft Bird Monitoring Study.	60 days prior to ground disturbance		Verification Change
BIO-17	PC	Provide CPM with the final version of the Bird Monitoring Plan that has been reviewed and approved by the CPM, in consultation with CDFG and USFWS.	30 days prior to ground disturbance		Verification Change
BIO-17	OPS	Reports to the CPM, CDFG and USFWS describing the dates, durations and results of monitoring. Reports shall provide a detailed description of any project related bird or wildlife deaths or injuries detected.	Quarterly after COD, for at least 2 years		Not Started
BIO-17	OPS	Annual Report summarizing the year's data, analyzes any Project-related bird fatalities or injuries detected, and provides recommendations for future monitoring and any adaptive management actions needed. Provided to the CPM, CDFG, and USFWS.	ACR	Annually	Not Started
BIO-17	OPS	Quarterly reports shall continue until the CPM, in consultation with CDFG and USFWS, determine whether more years of monitoring are needed, and whether mitigation and/or adaptive management measures are necessary.	As required		Not Started
BIO-17	OPS	Prepare a paper describing the study design and monitoring results to be submitted to a peer-reviewed scientific journal. Proof of submittal provided to the CPM within one year of concluding the monitoring study.	1 year after conclusion of study		Not Started
BIO-18	PC	Provide CPM, USFWS and CDFG with the final version of the Raven Management Plan that has been reviewed and approved by USFWS and CDFG. CPM shall determine the plan's acceptability within 10 days of receipt of the final plan.	30 days prior to ground disturbance		In Progress
BIO-18	COMM & OPS	Provide to the CPM for review and approval a report identifying which items of the Raven Plan have been completed, a summary of all modifications to mitigation measures made during the project's construction phase, and which items are still outstanding.	30 days after completion of construction		
BIO-19	COMM & OPS	Submit a draft Evaporation Pond Monitoring and Adaptive Management plan to the CPM that incorporates the guidance in this condition.	90 days prior to operation of evaporation ponds		
BIO-19	COMM & OPS	Provide the CPM, USFWS, RWQCB and CDFG with the final version of the Plan that has been reviewed and approved by the CPM in consultation with USFWS, RWQCB, and CDFG.	30 days prior to operation of evap ponds		

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BIO-20	CONS	Provide proof, to the satisfaction of the CPM, that the alternate well is completed and able to effectively convey a minimum of 75 acre feet per year to the Harper Dry Lake Marsh. Proof shall include, but not be limited to, a description of the well parameters, as constructed.	15 days prior to decomissioning well		
CUL-1	PC	If additional CRMs are obtained during the project, the CRS shall provide additional letters to the CPM identifying the CRMs and attesting to the qualifications of the CRMs.	5 days prior to CRMs beginning on-site duties		When Needed
CUL-1	PC	Resumes of specialists provided to CPM for review and approval.	10 days prior to specialists begin work		When Needed
CUL-2	PC	If there are changes to any project-related footprint, revised maps and drawings shall be provided.	15 days prior to ground disturbance		When Needed
CUL-2	PC	If project construction is phased, if not previously provided, submit the subject maps and drawings.	15 days prior to each phase		Ongoing
CUL-2	CONS	Current schedule of anticipated project activity shall be provided to the CRS and CPM by letter, e-mail or fax.	Weekly during ground disturbance		
CUL-2	CONS	Provide written notice of any changes to scheduling of construction phase.	within 5 days of identifying changes		
CUL-4	CONS	Submit the Cultural Resources Report (CRR) to the CPM for review and approval. If any reports have previously been sent to the California Historical Resource Information System (CHRIS), then receipt letters from the CHRIS or other verification of receipt shall be included in an appendix.	90 days after completion of ground disturbance (including landscaping)		Not Started
CUL-4	CONS	Provide copy of agreement with, or other written commitment from, a curation facility that meets the standards stated in the CA State Historical Resources Commissions *Guidelines for the Curation of Archeological Collections*, to accept cultural materials, if any, from this project. Any agreements concerning curation will be retained and available for audit for the life of the project.	90 days after completion of ground disturbance (including landscaping)		Not Started
CUL-4	CONS	Provide documentation to the CPM confirming that copies of the CRR have been provided to the SHPO, the CHRIS and the curating institution, if archaeological materials were collected.	within 10 days of CPM approval		Not Started
CUL-4	CONS	Submit a draft CRR to the CPM for review and approval.	within 30 days after requesting a suspension of construction activities		Not Started
CUL-5	COMM	On a monthly basis, until ground disturbance is completed, the project owner shall provide in the MCR the WEAP Training Acknowledgement forms of workers at the project site and on the linear facilities who have completed training in the prior month and a running total of all persons who have completed training to date.	MCR	Monthly	Ongoing
CUL-6	CONS	While monitoring is on-going, include a copy of the monthly summary report of cultural resources-related monitoring prepared by the CRS.	MCR	Monthly	Ongoing
CUL-6	CONS	Daily, as long as no cultural resources are found, the CRS shall provide a statement that "no cultural resources over 50 years of age were discovered" to the CPM as an e-mail, or in some other form acceptable to the CPM. If the CRS concludes that daily reporting is no longer necessary, a letter or e-mail providing a detailed justification for the decision to reduce or end daily reporting shall be provided to the CPM for review and approval at least 24 hours prior to reducing or ending daily reporting.	Daily logs emailed to CPM		
CUL-6	CONS	Following the discovery of any Native American cultural materials, submit to the CPM copies of the information transmittal letters sent to the Chairperson of the Native American tribes or groups who requested the information. Additionally, submit to the CPM copies of letters of transmittal for all subsequent responses to Native American requests for notification, consultation, and reports and records and any comments or information provided in response by the Native Americans.	30 days after discovery of Native American Artifacts		When Needed
CUL-7	CONS	Completed DPR 523 forms for resources newly discovered during construction shall be submitted to the CPM for review and approval no later than 24 hours following the notification of the CPM, or 48 hours following the completion of data recordation/recovery, whichever the CRS decides is more appropriate for the subject cultural resource.	24 hours following the notification of the CPM,		When Needed
HAZ-1	OPS	Provide to the CPM a list of hazardous materials contained at the facility.	ACR	Annually	
HAZ-2	CONS	At least 60 days prior to receiving any hazardous material on the site for commissioning or operations, the project owner shall provide a copy of a final Hazardous Materials Business Plan, Spill Prevention, Control, and Countermeasure Plan, and a Process Safety Management Plan to the CPM for approval.	60 days prior to receiving hazardous material for COMM or OPS		
HAZ-3	PC	Provide a Safety Management Plan as described to the CPM for review and approval.	60 days prior to delivery of any liquid hazardous materials to facility		
HAZ-4	CONS	Provide the design drawings as described in COC HAZ-4 to the CPM for review and approval. [The project owner shall place an adequate number of isolation valves in the Heat transfer Fluid (HTF) pipe loops so as to be able to isolate a solar collector loop in the event of a leak of fluid.]	60 days prior to commencement of solar array construction		
HAZ-5	PC	Notify the CPM that a site-specific Construction Security Plan is available for review and approval.	30 days prior to construction		Under revision

Cond. #	Sort Code	Verification/Action/Submittal Required by Project Owner	Timeframe	Date Due to CEC CPM	Status
HAZ-6	COMM	The project owner shall notify the CPM that a site-specific operations site security plan is available for review and approval.	30 days prior to initial receipt of hazardous materials on-site		
HAZ-6	COMM & OPS	In the annual compliance report, the project owner shall include a statement that all current project employee and appropriate contractor background investigations have been performed, and that updated certification statements have been appended to the operations security plan. In the annual compliance report, the project owner shall include a statement that the operations security plan includes all current hazardous materials transport vendor certifications for security plans and employee background investigations.	ACR	Annually	
HAZ-7	CONS	Provide the design drawings as described in COC HAZ-7 to the CPM for review and approval. [The project owner shall ensure that all pipes carrying heat transfer fluid (HTF), all command and control systems, and the fire water loop that are required to cross Harper Lake Road or Lockhart Road will be placed underground for the crossing.]	60 days prior to commencement of solar array piping construction		
LAND-1	PC	Provide a mitigation fee payment to an agricultural land trust such as the Transition Habitat Conservancy or any other land trust that has been previously approved by the CPM prior to the start of construction. The fee payment will be determined by an independent appraisal conducted on available, comparable, farmland property on behalf of the agricultural land trust. The project owner shall pay all costs associated with the appraisal.	prior to the start of construction		In Progress / Verification language change
LAND-1	OPS	Provide documentation to the CPM that the fee has been paid and that the 128 acres of farmland and/or easements shall be purchased within three years of start of operation as compensation for the 128 acres of FMMP designated Important Farmland to be converted by the AMS project. The documentation also shall guarantee that the land/easements purchased by the trust will be located in San Bernardino County and will be available in perpetuity for productive agricultural use. If no available land or easements can be purchased in San Bernardino County, then the purchase of lands/easements in other areas within western Mojave or adjacent counties, such as Kern County or Riverside County, is acceptable.	3 years after commercial operation		
LAND-1	OPS	Provide to the CPM updates on the status of farmland/easement purchase(s).	ACR	Annually	
LAND-2	OPS	Consistent with the requirements of COMPLIANCE-11, incorporate the applicable requirements of the San Bernardino County Development Code section 84.29.060, Decommissioning Requirements, into the AMS Facility Closure Plan, to the extent feasible, and in as much as the county requirements do not conflict with the California Energy Commission's requirements and standards related to the closure of power generating facilities. Consistent with the requirements of COMPLIANCE-11, submit the Facility Closure Plan to the CPM.	12 months prior to planned closure/decommissioning		
NOISE-2	CONS & OPS	The project owner shall file a Noise Complaint Resolution Form, shown below, with both the local jurisdiction and the CPM, that documents the resolution of the complaint. If mitigation is required to resolve the complaint, and the complaint is not resolved within a three-day period, the project owner shall submit an updated Noise Complaint Resolution Form when the mitigation is performed and complete.	within 5 days of receiving complaint		When Needed
NOISE-4	OPS	Conduct a 25 hour survey at LT-1 on a windy day, it shall include measurement of one-third octave band sound pressure levels to ensure no new pure-tone noise components have been caused by the project.	within 90 days of project achieving sustained output >= 90% of rated capacity		Not Started
NOISE-4	OPS	Submit a summary report to the CPM. Include a description of any additional mitigation measures necessary to achieve compliance with the listed noise limit, and a schedule for implementing these measures. When the measures are in place the survey shall be repeated.	within 30 days of completing survey		Not Started
NOISE-5	OPS	The project owner shall conduct an occupational noise survey to identify any noise hazardous areas in the facility.	after achieving sustained output >= 90% of rated capacity		Not Started
NOISE-5	OPS	Submit noise survey report to the CPM. Make the report available to OSHA and Cal-OSHA on request.	within 30 days of completing survey		Not Started
NOISE-7	COMM	Notify all residents and business owners within two miles of the project site. The notification may be in the form of letters, phone calls, fliers, or other effective means as approved by the CPM. The notification shall include a description of the purpose and nature of the steam blow(s), the planned schedule, expected sound levels, and explanation that it is a one-time activity and not part of normal plant operation. During steam blow activities, noise levels will be monitored at receptor locations LT-1, ST-1 and ST-2 and the results reported to the CPM.	15 days prior to the first steam blow		Not Started
PUBLIC HEALTH-1	COMM	The Cooling Water Management Plan shall be provided to the CPM for review and approval.	60 days prior to commencement of cooling tower operations		Not Started
SOIL&WATER-1	PC	Submit a copy of the Drainage, Erosion, and Sediment Control Plan (DESCP) to the County of San Bernadino and the RWQCB for review and comment. CPM shall consider comments from county and RWQCB and approve the DESCP based upon comments as appropriate.	60 days prior to site mobilization		In Progress

Cond. #	Sort Code	Verification/Action/Submittal Required by Project Owner	Timeframe	Date Due to CEC CPM	Status
SOIL&WATER-1	CONS	Provide an analysis on the effectiveness of the drainage, erosion, and sediment control measures and the results of monitoring and maintenance activities.	MCR	Monthly	Ongoing
SOIL&WATER-1	OPS	Provide information on the results of storm water BMP monitoring and maintenance activities. Also indicate what maintenance activities were completed to maintain the project's on-site storm water flow.	ACR	Annually	Ongoing
SOIL&WATER-2	COMM	Provide documentation to the CPM, with copies to the Lahontan RWQCB, demonstrating compliance with the WDRs established in Appendices C, D, and E.	60 days prior to wastewater or stormwater discharge or use of land treatment units		
SOIL&WATER-2	OPS	The project owner shall pay the annual waste discharge permit fee associated with this facility to the Water Boards.	Annually		
SOIL&WATER-3	COMM	Submit to the CPM a Channel Maintenance Plan for review and approval.	60 days prior to commercial operation		
SOIL&WATER-3	CONS & OPS	Ensure that the AMS project Construction and Operations Managers receive training on the Channel Maintenance Plan.	As required		
SOIL&WATER-3	OPS	Submit an Annual Channel Maintenance Report that specifies which maintenance activities were completed during the year including type of work, location, and measure of the activity (e.g. cubic yards of sediment removed).	ACR	Annually	
SOIL&WATER-4	CONS	Submit a Groundwater Monitoring and Management Plan to the County of San Bernardino for review and comment (see Condition of Certification SOIL&WATER-6).	60 days prior to construction of on-site groundwater wells		
SOIL&WATER-4	CONS	Submit to the CPM a copy of the water well abandonment and construction packet submitted to the County of San Bernardino for review and comment.	60 days prior to the abandonment and const. of the on-site groundwater wells		
SOIL&WATER-4	CONS	Submit a copy of any written comments received from the County of San Bernardino indicating whether the proposed well abandonment and construction activities comply with all county well requirements and meet the requirements established by the county's water well permit program.	30 days prior to construction of on-site water supply wells		
SOIL&WATER-4	CONS	Provide to the CPM copies of the Well Completion Reports submitted to the DWR by the well driller. Submit to the CPM, together with the Well Completion Report, a copy of well drilling logs, water quality analyses, and any inspection reports.	60 days after installation of each well		
SOIL&WATER-4	OPS	Provide the CPM with 2 copies of all monitoring and other reports required for compliance with the County of San Bernardino water well standards and operation requirements.	As required		
SOIL&WATER-4	CONS	Submit documentation to the CPM confirming that well drilling activities were conducted in compliance with Title 23, California Code of Regulations, Chapter 15, Discharges of Hazardous Wastes to Land, (23 CCR, sections 2510 et seq.) requirements and that any on-site drilling sumps used for project drilling activities were removed in compliance with 23 CCR section 2511(c).	15 days after completion of wells		
SOIL&WATER-5	CONS	Prepare a semi-annual summary report of the amount of water used for construction purposes. The summary shall include the monthly range and monthly average of daily water usage in gallons per day.	6 months after start of construction & ea. 6 mos. of construction	Semiannually	
SOIL&WATER-5	CONS & OPS	Prepare an annual summary report, which will include the maximum daily and monthly usage in gallons per day and the total monthly and annual usage in acre-feet. Following the first year of operation, the annual summary report will summarize the annual usage in tabular form. For calculating the total water use, the term "year" will corrsepond to the date established for the ACR submittal.	ACR	Annually	
SOIL&WATER-6	CONS	Submit to the CPM quarterly reports presenting all the data and information required in Item B above. Submit to the CPM all calculations and assumptions made in development of the report data and interpretations.	Quarterly during construction		
SOIL&WATER-6	OPS	Provide to the CPM, for review and approval, documentation showing that any mitigation to private well owners during project construction was satisfied, based on the requirements of the property owner as determined by the CPM.	60 days after commercial operation		
SOIL&WATER-6	OPS	Submit to CPM, applicable quarterly, semi-annual, and annual reports presenting all the data and information required in Item C above. Submit to the CPM all calculations and assumptions made in development of report data and interpretations, calculations, and assumptions used in development of any reports.	As required		
SOIL&WATER-6	OPS	Submit to the CPM for review and approval all documentation and calculations describing necessary compensation for energy costs associated with additional lift requirements.	30 days after CPM approval of well drawdown analysis		
SOIL&WATER-6	OPS	Submit to the CPM all calculations, along with any letters signed by the well owners indicating agreement with the calculations, and the name and phone numbers of those well owners that do not agree with the calculations.	As required		

Cond. #	Sort Code	Verification/Action/Submittal Required by Project Owner	Timeframe	Date Due to CEC CPM	Status
SOIL&WATER-6	OPS	If mitigation includes monetary compensation, provide documentation to the CPM that compensation payments have been made by March 31 of each year of project operation or, if a lump-sum payment is made, payment shall be made by March 31 of the following year. Within 30 days after compensation is paid, submit to the CPM a compliance report describing compensation for increased energy costs necessary to comply with the provisions of this condition.	As required		
SOIL&WATER-6	OPS	After the first 5-year operational and monitoring period, and every subsequent 5-year period, submit a 5-year monitoring report to the CPM for review and approval. This report shall contain all monitoring data collected and provide a summary of the findings and a recommendation about whether the frequency of water level measurements should be revised or eliminated.	Every 5 years		
SOIL&WATER-7	PC	Pre-construction groundwater quality report in compliance with Item B shall be submitted to the CPM for review and approval.	30 days prior to construction		In Progress
SOIL&WATER-7	CONS & OPS	Semi-annually, by March 31 and September 31, submit Groundwater Quality Reports in compliance with Item D to the CPM for review and approval and to the BLM for review.	Semi-annually	03/31/20XX & 9/30/20XX	
SOIL&WATER-7	OPS	After the first 5-year operational and monitoring period, and every subsequent 5-year period, submit a 5-year monitoring report to the CPM, for review and approval, that contains all groundwater quality data collected and provides a summary of the findings and a recommendation about whether the frequency of groundwater quality data collection should be revised or eliminated.	Every 5 years		
SOIL&WATER-8	COMM & OPS	Prior to transport and offsite disposal of any facility operation wastewaters that are not suitable for treatment and reuse on-site, test and classify the stored wastewater to determine proper management and disposal requirements. All records of this testing and classification shall be maintain at the project site. Ensure that the wastewater is transported and disposed of in accordance with the wastewater's characteristics and classification and all applicable LORS (including any CCR Title 22 Hazardous Waste and Title 23 Waste Discharges to Land requirements).	As required		
SOIL&WATER-9	COMM	Submit to the County of San Bernardino appropriate fees and plans for review and comment for the construction and operation of the project's sanitary waste septic system and leach field. A copy of these plans shall be simultaneously submitted to the CPM for review and approval. These plans shall demonstrate compliance with the sanitary waste disposal facility requirements of County of San Bernardino Codes Title 3, Division 3, Chapter 8, Waste Management, Article 5, Liquid Waste Disposal and Title 6, Division 3, Chapter 3, and the Uniform Plumbing Code.	60 days prior to commercial operation		
SOIL&WATER-10	PC	Obtain a permit to operate a non-transient, noncommunity water system with the County of San Bernardino .	60 days prior to construction		Verification Change
SOIL&WATER-10	COMM & OPS	Supply updates annually for all monitoring requirements and submittals to County of San Bernardino related to the permit, and proof of annual renewal of the operating permit.	ACR	Annually	
SOIL&WATER-11	OPS	The volume of FPA sequestered shall be documented and submitted to the CPM and Watermaster. This documentation shall include a table showing the annual and cumulative total FPA sequestered.	ACR	Annually	
SOIL&WATER-12	OPS	Submit to the CPM a copy of the receipt from the MWA for the annual contribution; and an accounting of the following: i. The annual and cumulative volume of groundwater used by the project in acre-feet per year; ii. The annual and cumulative volume of FPA sequestered by the project in acre-feet per year; iii. The numerical difference between annual and cumulative totals in Items i and ii above; and iv. The annual and cumulative monetary contribution and estimated annual and cumulative volume of water conserved by the project owner's contribution to MWA's turf replacement program, high-efficiency toilet program, or other water conservation program approved by the CPM.	ACR	Annually	
SOIL&WATER-12	OPS	If owner proposes to reduce the amount of the annual contribution based on the water conservation achieved through previous contributions, provide a plan demonstrating how the adjusted amount will ensure the water conservation program meets the requirements of this condition. The plan shall be provided for CPM review and approval 60 days prior to the annual contribution anniversary date.	60 days prior to the annual contribution anniversary date		When Needed
TRANS-1	PC	Notify the County of San Bernardino and the CPM that the park-and-ride lot(s) are ready for usage and available for inspection.	30 days prior to site mobilization		
TRANS-2	PC	Provide to the County of San Bernardino for review and comment and the CPM for review and approval a copy of the construction traffic control plan. The plan must document consultation with Caltrans.	60 days prior to site mobilization		Submitted

Cond. #	Sort Code	Verification/Action/Submittal Required by Project Owner	Timeframe	Date Due to CEC CPM	Status
TRANS-3	PC	Submit a review of existing roadway pavement conditions to San Bernardino County and Caltrans for review and comment and the CPM for review and approval. This review will include photographs and the visual analysis of pavement and sub-surface conditions. The CPM will need to approve the summary of existing pavement conditions prior to commencement of construction.	90 days prior to site mobilization		Submitted
TRANS-3	COMM	Submit an analysis of the roadway pavement conditions to San Bernardino County and Caltrans for review and comment and to the CPM for review and approval. The review will include photographs, the visual analysis of pavement and sub-surface conditions and a schedule for repair.	60 days after the end of construction activities		
TRANS-3	COMM	Submit a letter to San Bernardino County, Caltrans, and the CPM indicating such repairs are finished and ready for inspection.	After completion of repairs		When Needed
TRANS-4	PC	Include these restrictions in the construction traffic control plan required by TRANS-2	60 days prior to site mobilization		Submitted
TRANS-5	COMM & OPS	A record of hazardous deliveries shall be provided to the CPM as required in HAZ-3.	As required		
TSLN-2	OPS	All reports of line-related complaints shall be summarized for the project-related lines and included during the first five years of plant operation in the Annual Compliance Report.	ACR	Annually	
TSLN-3	CONS	File copies of the pre-and post-energization measurements with the CPM after completion of the measurements.	60 days after completion of the measurements		
TSLN-4	OPS	During the first five years of operation, the project owner shall provide a summary of inspection results and any fire prevention activities carried out along the rights-of-way and provide such summaries in the ACR for transmission line safety and nuisance-related requirements.	ACR, for first 5 years of operation		
TSLN-5	COMM & OPS	The project owner shall ensure that all permanent metallic objects within the right-of-way of the project-related lines are grounded according to industry standards regardless of ownership. Transmit to the CPM a letter confirming compliance with this condition.	30 days before lines are energized		
VIS-1	PC	At least 90 days prior to specifying to the vendor the colors and finishes of the first structures or buildings that are surface treated during manufacture, the project owner shall submit the proposed treatment plan to the CPM for review and approval. If the CPM determines that the plan requires revision, the project owner shall provide to the CPM a plan with the specified revision(s) for review and approval by the CPM before any treatment is applied. Any modifications to the treatment plan must be submitted to the CPM for review and approval. The review of any subsequent revisions shall be completed by the CPM within 15 days of receipt of the revisions.	90 days prior to specifying colors to vendor		
VIS-1	COMM	The project owner shall notify the CPM that surface treatment of all listed structures and buildings has been completed and they are ready for inspection and shall submit one set of electronic color photographs from key observation points 1, 2, 3, 4, 5, 6, 7, and 8 analyzed in the Staff Assessment.	Prior to COD		
VIS-1	OPS	Provide a status report regarding surface treatment maintenance. Specify a): the condition of the surfaces of all structures and buildings at the end of the reporting year; b) maintenance activities that occurred during the reporting year; and c) the schedule of maintenance activities for the next year.	ACR	Annually	
VIS-2	COMM	The screening plan shall be submitted to the CPM for review and approval.	90 days prior to installation		
VIS-2	CONS	Completed DPR 523 forms for resources newly discovered during construction shall be submitted to the CPM for review and approval no later than 24 hours following the notification of the CPM, or 48 hours following the completion of data recordation/recover	7 days after completing screening		
VIS-2	OPS	Report maintenance activities, including replacement of plants that fail to thrive for the previous year of operation.	ACR, for first 5 years of operation	Annually	
VIS-3	CONS	Contact the CPM to show compliance with all of the above requirements. This shall include: final lighting plans, fixture and control schedules, fixture and control cut sheets and specifications, a photometric plan showing vertical and horizontal footcandles at all property lines to a height of 20 feet, and the proposed time clock schedule.	90 days prior to ordering exterior lighting		
VIS-3	PC, CONS, & COMM	Notify the CPM that the temporary and permanent lighting has been completed and is ready for inspection. If after inspection the CPM says that modifications to the lighting are needed, within 30 days of receiving that notification owner shall implement the modifications and notify the CPM that the modifications have been completed and are ready for inspection.	Prior to construction/Prior to operation		
VIS-3	CONS & OPS	Provide the CPM with a complaint resolution form report as specified in the Compliance General Conditions, including a proposal to resolve the complaint, and a schedule for implementation. A copy of the complaint resolution form report shall be submitted to the CPM within 30 days and included in the Annual Report.	within 48 hours of receiving lighting complaint		
VIS-4	PC	The screening plan shall be submitted to the CPM for review and approval.	90 days prior to installation		
VIS-4	CONS	Notify the CPM that the screening is ready for inspection.	7 days after completing screening install		

Cond. #	Sort Code	Verification/Action/Submittal Required by Project Owner	Timeframe	Date Due to CEC CPM	Status
VIS-4	OPS	Report maintenance activities, including replacement of damaged or destroyed screening for the previous year of operation.	ACR	Annually	
WASTE-2	PC & CONS	Obtain a hazardous waste genereator identification number form the USEPA prior to generating any hazardous waste during project construction and operations.	Prior to Haz Waste generation	Prior to Haz Waste generation	
WASTE-2	CONS & OPS	Project owner shall keep a copy of the identification number on file at the project site and provide documentation of the hazardous waste generation notification and receipt of the number to the CPM after receipt of the number. Submittal of the notification and issued number documentation to the CPM is only needed once unless there is a change in ownership, operation, waste generation, or waste characteristics that requires a new notification to USEPA.	MCR		
WASTE-2	CONS & OPS	Documentation of any new or revised hazardous waste generation notifications or changes in identification number shall be provided to the CPM.	As required		
WASTE-4	PC	Submit any final reports filed by the professional engineer or professional geologist to the CPM.	within 5 days of receipt		
WASTE-4	PC	Notify the CPM within 24 hours of any orders issued to halt construction.	within 24 hours of orders to halt construction		
WASTE-6	PC	Submit the Construction Waste Management Plan to the CPM for approval.	30 days prior to site mobilization		Approved for DT Fencing
WASTE-7	CONS & OPS	Identify permitted solid waste facilities or recycling centers that receive construction waste and maintain copies of weigh tickets and manifests showing the type and volume of waste disposed. This information shall be maintained at the project site and made accessible to CPM and the San Bernardino County Environmental Health Service Department Solid Waste Program.	As required		
WASTE-8	PC	Provide the Asbestos Demolition Notification Form to the CPM for review and approval.	60 days prior to commencement of structure demolition		
WASTE-8	CONS	Inform the CPM of the data when all ACM is removed from the site.	MCR	after removal	
WASTE-9	COMM	Submit the Operation Waste Management Plan to the CPM for approval.	30 days prior to commercial operation		
WASTE-9	COMM	Submit any required revisions to the CPM.	20 days of notification from the CPM revisions required		
WASTE-9	OPS	Document the actual volume of wastes generated and the waste management methods used during the year; provide a comparison of the actual waste generation and management methods used to those proposed in the original Operation Waste Management Plan; and update the Operation Waste Management Plan, as necessary, to address current waste generation and management practices.	ACR	Annually	
WASTE-10	OPS	HTF Release and Spill Cleanup and Reporting Instructions	As required		When Needed
WASTE-11	COMM & OPS	Report the results of filter cake testing to the CPM. If two consecutive tests show that the sludge is non-hazardous, may apply to the CPM to discontinue testing.	within 30 days of sampling		
WASTE-11	OPS	The test results and method and location of sludge disposal shall reported in the ACR as required in Condition of Certification WASTE-9.	ACR	Annually	
WASTE-12	CONS & OPS	Document all unauthorized releases and spills of hazardous substances, materials, or wastes that are in excess of reportable quantities that occur on the project property or transmission corridors during construction and on the project property during operation.	As required		
WASTE-12	CONS & OPS	Copies of the unauthorized spill documentation shall be provided to the CPM.	within 30 days of the date the release was discovered		
WORKERSAFETY-2	COMM	Submit to the SBCFD the final Operations Fire Prevention Plan and Emergency Action for review and the final Project Operations and Maintenance Safety and Health Program to the CPM for approval.	30 days prior to start of commissioning		
WORKERSAFETY-3	CONS	The CSS shall submit in the MCR a monthly safety inspection report	MCR	Monthly	Ongoing
WORKERSAFETY-5	PC	Submit to the CPM proof that a portable automatic external defibrillator exists on site and a copy of the training and maintenance program for review and approval.	30 days prior to site mobilization		
WORKERSAFETY-6	CONS	(1) A copy of the individual agreement with the SBCFD or, if the owner joins a power generation industry association, a copy of the group's bylaws and a copy of the group's agreement with the SBCFD; and evidence in each January Monthly Compliance Report that the project owner is in full compliance with the terms of such bylaws and/or agreement; or (2) A protocol, scope and schedule of work for the independent study and the qualifications of proposed contractor(s) for review and approval by the CPM; a copy of the completed study showing the precise amount the project owner shall pay for mitigation; and documentation that the amount has been paid.	five (5) days before construction of permanent aboveground structures		
WORKERSAFETY-6	OPS	Annually thereafter, the owner shall provide the CPM with verification of funding to the SBCFD if annual payments were approved or recommended under either of the above-described funding resolution options.	ACR	Annually	

Cond. #	Sort Code	Verification/Action/Submittal Required by Project Owner	Timeframe	Date Due to CEC CPM	Status
WORKERSAFETY-8	PC	Enhanced Dust Control Plan shall be provided to the CPM for review and approval.	60 days prior to site mobilization		Submitted
WORKERSAFETY-9	COMM	Submit to the CPM proof that the joint training with the SBCFD is established.	10 days prior to commissioning		
WORKERSAFETY-9	OPS	Submit to the CPM proof that the joint training with the SBCFD was conducted. Include the date, list of participants, training protocol, and location in the yearly compliance report to the CPM.	ACR	Annually	
GEN-1	COMM	Submit to the CPM a statement of verification, signed by the responsible design engineer, attesting that all designs, construction, installation, and inspection requirements of the applicable LORS and the Energy Commission's decision have been met in the area of facility design. Provide the CPM a copy of the certificate of occupancy within 30 days of receipt from the CBO.	30 days of receipt of certificate of occupancy		
GEN-1	OPS	Once the certificate of occupancy has been issued, inform the CPM prior to any construction, addition, alteration, moving, demolition, repair, or maintenance to be performed on any portion(s) of the completed facility that requires CBO approval for compliance with the above codes. The CPM will then determine if the CBO needs to approve the work.	30 days prior to start of any activity listed requiring CBO approval		
GEN-2	PC	Submit to the CBO and to the CPM the schedule, and the master drawings and master specifications list of documents to be submitted to the CBO for review and approval. These documents shall be the pertinent design documents for the major structures, systems, and equipment defined above in Condition of Certification GEN-2. Major structures and equipment shall be added to or deleted from the list only with CPM approval.	60 days prior to start of grading		Submitted
GEN-2	CONS	Provide schedule updates in the monthly compliance report.	MCR		
GEN-3	PC	Make the required payments to the CBO in accordance with the agreement. Send a copy of the CBO's receipt of payment to the CPM indicating that applicable fees have been paid. A copy of the contract between the project owner and the CBO shall be submitted to the CPM for review.	In next MCR		
GEN-4	PC	Submit to the CBO for review and approval, the resume and registration number of the resident engineer (RE) and any other delegated engineers assigned to the project. If the RE or the delegated engineer(s) is subsequently reassigned or replaced, the project owner has five days to submit the resume and registration number of the newly assigned engineer to the CBO for review and approval.	30 days prior to start of grading		Submitted
GEN-4	PC	Notify the CPM of the CBO's approvals of the RE and other delegated engineer(s).	within 5 days of CBO's approval		
GEN-5	PC	Submit to the CBO for review and approval, resumes and registration numbers of the responsible civil engineer, soils (geotechnical) engineer and engineering geologist assigned to the project.	30 days prior to start of grading		
GEN-5	PC	Submit to the CBO for review and approval, resumes and registration numbers of the responsible design engineer, mechanical engineer, and electrical engineer assigned to the project.	30 days prior to start of construction		Submitted
GEN-5	PC	Notify the CPM of the CBO's approvals of the responsible engineers.	within 5 days of the CBO's approval		
GEN-5	CONS	If the designated responsible engineer is subsequently reassigned or replaced, submit the resume and registration number of the newly assigned engineer to the CBO for review and approval.	within 5 days of replacement		
GEN-6	CONS	Submit to the CBO for review and approval, with a copy to the CPM, the name(s) and qualifications of the certified weld inspector(s), or other certified special inspector(s) assigned to the project to perform one or more of the duties set forth above.	15 days prior to start of activity requiring special inspection		
GEN-6	CONS	Also submit to the CPM a copy of the CBO's approval of the qualifications of all special inspectors.	in next MCR		
GEN-7	CONS	Transmit a copy of the CBO's approval of any corrective action taken to resolve a discrepancy to the CPM.	MCR		
GEN-7	CONS	If any corrective action is disapproved, advise the CPM, within five days, of the reason for disapproval and the revised corrective action to obtain CBO's approval.	within 5 days of disapproval by CBO		
GEN-8	CONS	Submit to the CBO, with a copy to the CPM, in the next monthly compliance report, (a) a written notice that the completed work is ready for final inspection, and (b) a signed statement that the work conforms to the final approved plans.	within 15 days of completion of CBO-approved work		
GEN-8	CONS	Submit to the CPM a letter stating both that the above documents have been stored and the storage location of those documents.	After storing the final approved engineering plans etc		
GEN-8	COMM	Provide to the CBO three sets of electronic copies of the above documents at the project owner's expense. These are to be provided in the form of "read only" (Adobe .pdf 6.0) files, with restricted (password-protected) printing privileges, on archive quality compact disks.	within 90 days of completion of construction		

Cond. #	Sort Code	Verification/Action/Submittal Required by Project Owner	Timeframe	Date Due to CEC CPM	Status
CIVIL-1	PC	Submit the 1. Design of the proposed drainage structures and the grading plan; 2. An erosion and sedimentation control plan; 3. Related calculations and specifications, signed and stamped by the responsible civil engineer; and 4. Soils, geotechnical, or foundation investigations reports required by the 2007 CBC to the CBO for design review and approval.	15 days prior to site grading	following approval	Submitted
CIVIL-1	PC	Submit a written statement certifying that the documents have been approved by the CBO.	in the next MCR		
CIVIL-2	CONS	Notify the CPM within 24 hours, when earthwork and construction is stopped as a result of unforeseen adverse geologic/soil conditions. Within 24 hours of the CBO's approval to resume earthwork and construction in the affected areas, provide to the CPM a copy of the CBO's approval.	24 hours following stop of construction; & within 24-hours of CBO's approval to resume		
CIVIL-3	CONS	RE shall transmit to the CBO and the CPM a non-conformance report (NCR), and the proposed corrective action for review and approval.	within 5 days of discovery of discrepancies		
CIVIL-3	CONS	Owner shall submit the details of the corrective action to the CBO and CPM.	within 5 days of resolution of NCR		
CIVIL-3	CONS	A list of NCRs, for the reporting month, shall be included in MCR.	monthly in MCR		
CIVIL-4	CONS	Submit to the CBO, for review and approval, the final grading plans (including final changes) and the responsible civil engineer's signed statement that the installation of the facilities and all erosion control measures were completed in accordance with the final approved combined grading plans, and that the facilities are adequate for their intended purposes, along with a copy of the transmittal letter to the CPM.	30 days of completion of erosion and sediment control work		
CIVIL-4	CONS	Submit a copy of the CBO's approval to the CPM in the next monthly compliance report.	In the next MCR following approval		
STRUC-1	PC	At least 60 days (or project owner and CBO approved alternative time frame) prior to the start of any increment of construction of any structure or component listed in the CBO-approved master drawing and master specifications list, the project owner shall submit to the CBO the above final design plans, specifications and calculations, with a copy of the transmittal letter to the CPM.	60 days prior to the start of construction of listed major structure		
STRUC-1	PC	Submit to the CPM, in the next monthly compliance report, a copy of a statement from the CBO that the proposed structural plans, specifications, and calculations have been approved and comply with the requirements set forth in applicable engineering LORS.	In the next MCR following approval		
STRUC-2	CONS	If a discrepancy is discovered in any of the above data, prepare and submit an NCR describing the nature of the discrepancies and the proposed corrective action to the CBO, with a copy of the transmittal letter to the CPM. The NCR shall reference the condition(s) of certification and the applicable CBC chapter and section.	within 5 days of discovery of discrepancies		
STRUC-2	CONS	Submit a copy of the corrective action to the CBO and the CPM.	within 5 days of resolution of NCR		
STRUC-2	CONS	Transmit a copy of the CBO's approval or disapproval of the corrective action to the CPM .	within 15 days of CBO decision		
STRUC-2	CONS	If disapproved, advise the CPM, the reason for disapproval, and the revised corrective action to obtain CBO's approval.	within 5 days of disapproval by CBO		
STRUC-3	PC & CONS	Notify the CBO of the intended filing of design changes, and submit the required number of sets of revised drawings and the required number of copies of the other above-mentioned documents to the CBO, with a copy of the transmittal letter to the CPM.	on a schedule suitable to the CBO		
STRUC-3	PC & CONS	Notify the CPM, via monthly compliance report, when the CBO has approved the revised plans.	In the next MCR following approval		
STRUC-4	CONS	Prior to the start of installation of the tanks or vessels containing the specified quantities of toxic or hazardous materials, submit to the CBO for design review and approval final design plans, specifications, and calculations, including a copy of the signed and stamped engineer's certification.	30 days prior to installation		
STRUC-4	CONS	Send copies of the CBO approvals of plan checks to the CPM in the following monthly compliance report. Also transmit a copy of the CBO's inspection approvals to the CPM in the monthly compliance report following completion of any inspection.	In the next MCR following approval		
MECH-1	CONS	At least 30 days (or project owner- and CBO-approved alternative time frame) prior to the start of any increment of major piping or plumbing construction listed in the CBO-approved master drawing and master specifications list, the project owner shall submit to the CBO for design review and approval the final plans, specifications, and calculations, including a copy of the signed and stamped statement from the responsible mechanical engineer certifying compliance with applicable LORS.	30 days prior to the start of any increment of major piping or plumbing construction		
MECH-1	CONS	Send the CPM a copy of the transmittal letter.	in the next MCR		
MECH-1	CONS	Transmit to the CPM following completion of any inspection, a copy of the transmittal letter conveying the CBO's inspection approvals.	In the next MCR following inspection		

Cond. #	Sort Code	Verification/Action/Submittal Required by Project Owner	Timeframe	Date Due to CEC CPM	Status
MECH-2	CONS	For all pressure vessels installed in the plant: Submit to the CBO for design review and approval, the listed documents, including a copy of the signed and stamped engineer's certification, with a copy of the transmittal letter to the CPM.	30 days prior to the start of PV on-site fabrication or installation		
MECH-2	CONS & COMM	Transmit to the CPM, following completion of any inspection, a copy of the transmittal letter conveying the CBO's and/or Cal-OSHA inspection approvals.	In the next MCR following inspection		
MECH-3	CONS	Prior to the start of construction of any HVAC or refrigeration system, submit to the CBO the required HVAC and refrigeration calculations, plans, and specifications, including a copy of the signed and stamped statement from the responsible mechanical engineer certifying compliance with the CBC and other applicable codes, with a copy of the transmittal letter to the CPM.	30 days prior to construction of any HVAC or refrigeration system		
ELEC-1	CONS	Prior to the start of each increment of electrical construction, submit to the CBO for design review and approval the above listed documents. Include in this submittal a copy of the signed and stamped statement from the responsible electrical engineer attesting compliance with the applicable LORS.	30 days prior to start of each increment of electrical construction		
ELEC-1	CONS	Send the CPM a copy of the transmittal letter in the next monthly compliance report.	in the next MCR		
PAL-1	CONS	Prior to the termination or release of a PRS, submit the resume of the proposed new PRS to the CPM for review and approval.	As required		When Needed
PAL-2	PC	If there are changes to the footprint of the project, revised maps and drawings shall be provided to the PRS and CPM.	15 days prior to ground disturbance		When Needed
PAL-2	PC	If there are changes to the scheduling of the construction phases, submit a letter to the CPM.	within 5 days of identifying changes		When Needed
PAL-4	PC	If the owner requests an alternate paleontological trainer, the resume and qualifications of the trainer shall be submitted to the CPM for review and approval prior to installation of an alternate trainer. Alternate trainers shall not conduct training prior to CPM authorization.	As necessary	As necessary	When Needed
PAL-4	CONS	Provide copies of the WEAP certification of completion forms with the names of those trained and the trainer or type of training (in-person or other approved presentation format) offered that month. Also include a running total of all persons who have completed the training to date.	MCR	Monthly	
PAL-5	CONS	Ensure that the PRS submits the summary of monitoring and paleontological activities in the MCR.	MCR		
PAL-5	CONS	When feasible, the CPM shall be notified 10 days in advance of any proposed changes in monitoring different from the plan identified in the PRMMP. If there is any unforeseen change in monitoring, the notice shall be given as soon as possible prior to implementation of the change.	10 days in advance of proposed monitoring changes, or ASAP		
PAL-6	OPS	Maintain in compliance file copies of signed contracts or agreements with the designated PRS and other qualified research specialists. Maintain these files for a period of three years after project completion and approval of the CPM-approved paleontological resource report (see Condition of Certification PAL-7). Shall be responsible for paying any curation fees charged by the museum for fossils collected and curated as a result of paleontological mitigation. A copy of the letter of transmittal submitting the fossils to the curating institution shall be provided to the CPM.	maintain for 3 years after project completion and CPM-approval of PR Report		
PAL-7	CONS	Submit the PRR under confidential cover to the CPM.	within 90 days of completion of ground disturbance		
TSE-1	PC	Submit the schedule, a Master Drawing List, and a Master Specifications List to the CBO and to the CPM. The schedule shall contain a description and list of proposed submittal packages for design, calculations, and specifications for major structures and equipment. Additions and deletions shall be made to the table only with CPM and CBO approval.	60 days prior to start of construction		Verification Change
TSE-1	CONS	Provide schedule updates in the MCR.	MCR	Monthly	
TSE-2	PC	Submit to CBO for review and approval, the names, qualifications and registration numbers of all the responsible engineers assigned to the project.	30 days prior to rough grading		Submitted
TSE-2	PC	Notify CPM of the CBO's approval.	within 5 days of CBO approval		
TSE-2	PC & CONS	If the designated responsible engineer is subsequently reassigned or replaced, the project owner has five days in which to submit the name, qualifications, and registration number of the newly assigned engineer to the CBO for review and approval. The project owner shall notify the CPM of the CBO's approval of the new engineer within five days of the approval.	within 5 days of change in RE		
TSE-3	CONS	Submit a copy of CBO's approval or disapproval of any corrective action taken to resolve a discrepancy to the CPM.	within 15 days of receipt		
TSE-3	CONS	If disapproved, advise the CPM, the reason for disapproval, and the revised corrective action to obtain CBO's approval.	within 5 days of CBO disapproval		

Cond. #	Sort Code	Verification/Action/Submittal Required by Project Owner	Timeframe	Date Due to CEC CPM	Status
TSE-4	CONS	Prior to the start of each increment of construction, submit to the CBO for review and approval the final design plans, specifications and calculations for equipment and systems of the power plant switchyard, outlet line and termination, including a copy of the signed and stamped statement from the responsible electrical engineer attesting to compliance with the applicable LORS.	30 days prior to start of each increment of construction		
TSE-4	CONS	Send the CPM a copy of the transmittal letter.	in the next MCR		
TSE-5	CONS	To ensure the proposed transmission facilities will conform to all applicable LORS, submit to the CBO for approval: Items A through G listed in the COC, including Design drawings, specifications and calculations, with design criteria, Electrical one-line diagrams, the Special Protection System (SPS) sequencing and timing if applicable, a letter stating the mitigation measures or projects selected by the transmission owners for each reliability criteria violation are acceptable, an Operational study report based on the expected or current COD from the California ISO and/or SCE, and a copy of the executed LGIA signed by the California ISO and the project owner.	60 days prior to construction of transmission facilities		
TSE-6	CONS	Inform the CBO and the CPM of any impending changes that may not conform to requirements of TSE-5 and request approval to implement such changes.	60 days prior to construction of transmission facilities		
TSE-7	COMM	Provide copies of the CAISO letter to the CPM when it is sent to the CAISO.	1 week prior to initial synchronization with grid		
TSE-7	COMM	Contact CAISO Outage Coordination Department, Mon thru Fri, btwn 0700 and 1530 at (916) 351-2300 at least one business day prior to synchronizing the facility with the grid for testing. A report of conversation with the CAISO shall be provided electronically to the CPM one day before synchronizing the facility with the CA transmission system for the first time.	1 day prior to initial synchronization with grid		
TSE-8	COMM	Transmit to the CPM and CBO: "As Builts" and one-line drawings of the electrical portion; "as built" engineering description of the mechanical, structural, and civil portion of the transmission facilities they shall be maintained at the power plant and made available if requested for CPM Audit; A summary of inspections of the completed transmission facilities. [See COC]	within 60 days after first synchronization		

Completed Conditions

Cond. #	Sort Code	Verification/Action/Submittal Required by Project Owner	Timeframe	Date Due to CEC CPM	Status
COMPLIANCE-4	PC	Prior to commencing construction, a compliance matrix addressing only conditions that must be fulfilled before the start of construction shall be submitted to the CPM. This matrix will be included in the first compliance submittal or prior to the first pre-construction meeting, whichever comes first. It will be submitted in the same format as the compliance matrix.	Prior to construction	9/2/2010	Complete
COMPLIANCE-8	PC, CONS, COMM, OPS	Confidential Information Instructions	As required		NA
COMPLIANCE-10	PC, CONS, COMM, OPS	Reporting of Complaints, Notices, and Citations: Prior to the start of construction, the project owner must send a letter to property owners living within one mile of the project notifying them of a telephone number to contact project representatives with questions, complaints or concerns. If the telephone is not staffed 24 hours per day, it shall include automatic answering with date and time stamp recording.	Prior to construction	Prior to construction	Complete
AQ-SC1	PC	Submit to the CPM for approval the name, resume, qualifications and contact information for the onsite AQCMM and all Delegates.	30 days prior to ground disturbance		Complete
AQ-SC2	PC	Submit AQCMP to CPM for approval. Include effectiveness and environmental data for the proposed soil stabilizer. CPM will notify of any necessary modifications to the plan within 15 days from the date of reciept.	30 days prior to ground disturbance		Complete
AQ-SC9	PC	Provide to the CPM, a statement signed by the project owner's project manager stating that the owner or residents of the properties affected by this condition have been notified and that the residents have been offered paid relocation during the affected period of the initial grading/site preparation phase of construction. The statement shall list affected property owners/residents notified and the means of notification.	Prior to initial grading		Complete
BIO-1	PC	Submit the resume. The CPM, CDFG, and USFWS have 30 days to approve or deny proposed Designated Biologists. No site or related facility activities shall commence until an approved Designated biologist is available to be on site.	60 days prior to site mobilization		Complete
BIO-3	PC	Submit the specified information to the CPM, CDFG, and USFWS for approval. The CPM, CDFG, and USFWS have 30 days to approve or deny proposed Biological Monitor(s). Submit a written statement to the CPM confirming that Biological Monitor(s) have been trained.	60 days prior to site mobilization		Complete

Cond. #	Sort Code	Verification/Action/Submittal Required by Project Owner	Timeframe	Date Due to CEC CPM	Status
BIO-5	PC	Worker Environmental Awareness Program: Provide the CPM the proposed WEAP and all supporting materials prepared or reviewed by the Designated Biologist and a resume of the person(s) administering the program. The CPM shall review and provide written comments within 15 days of receipt.	45 days prior to site mobilization		Complete
BIO-5	PC	Prior to site and related facilities mobilization submit two copies of the CPM-approved materials.	10 days prior to site mobilization		Complete
BIO-6	PC	Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP) Development and Compliance: Provide the specified document prior to start of any site (or related facilities) mobilization. The CPM will determine the BRMIMP's acceptability within 30 days of receipt. If there are any permits that have not yet been received when the BRMIMP is first submitted, these permits shall be submitted to the CPM within 5 days of their receipt, and the BRMIMP shall be revised or supplemented to reflect the permit condition within 10 days of their receipt by the project owner. Ten days prior to pre-construction site mobilization the revised BRMIMP shall be resubmitted to the CPM.Site mobilization will not occur without an approved BRMIMP.	45 days prior to site mobilization		Complete
BIO-7	PC	All mitigation measures and their implementaion methods shall be included in the BRMIMP.	45 days prior to site mobilization		Complete
BIO-9	PC	Golden Eagle Territory-Specific Management Plan: Submit a report to the CPM, CDFG, and USFWS. This report shall document the results of the inventory and monitoring as described in Pagel et al. 2010.	within 30 days of completion of GOEA breeding-season surveys		Complete
BIO-9	PC	Submit a report to the CPM, CDFG, and USFWS. This report shall document the results of the protocol surveys as described in Pagel et al. 2010 or more recent guidance by USFWS (e.g., Pagel et al, in prep).	within 30 days of completion of GOEA non-breeding-season surveys (late-summer/early winter 2010)		Complete
BIO-9	PC	Provide the CPM, CDFG, and USFWS with the final version of the Golden Eagle Territory-Specific Management Plan, based on breeding-season inventory results. This final Plan shall have been reviewed and approved by the CPM in consultation with USFWS. [**or** (see next entry below)]	30 days prior to site mobilization		Not Required
BIO-9	PC	If disturbance to eagles would not occur and a Plan is not warranted, a letter from USFWS documenting this determination shall be submitted to the CPM at least 10 days prior to the start of any pre-construction site mobilization.	10 days prior to site mobilization	As required	Complete
BIO-10	PC	Documentation of Bald and Golden Eagle Act Compliance: Submit to the CPM documentation that the project is in compliance with the Bald and Golden Eagle Protection Act (Title 16, United States Code, sections 668-668d). This shall include documentation from the USFWS in the form of written or electronic transmittal indicating the status of the permit, if required, and any follow up actions required by the project owner. Any additional actions shall be added to the BRMIMP and implemented.	10 days prior to site mobilization		Complete
BIO-11	PC	Provide the CPM with the final version of the Desert Tortoise Translocation Plan that has been approved by the Energy Commission staff, USFWS, and CDFG. The CPM will determine the plan's acceptability within 15 working days of receipt of receipt of the final plan.	45 days prior to site mobilization		Complete
BIO-11	PC	Desert Tortoise Exclusion Fencing, Clearance Surveys, and Translocation Plan: The entire project site shall be fenced with desert tortoise exclusion fence. To avoid impacts to desert tortoise during fence construction, the proposed fence alignment shall be flagged and the alignment surveyed within 24 hours prior to fence construction.	Prior to ground disturbance		Complete
BIO-11	PC	Submit report to the CPM, USFWS, and CDFG describing how each of the mitigation measures described have been satisfied. The report shall include the desert tortoise survey results, capture and release locations of any translocated desert tortoises, and any other information needed to demonstrate compliance with the measures described.	30 days of completing Desert Tortoise clearance surveys		Complete
BIO-12	PC	Mohave Ground Squirrel Clearance Surveys: Submit a report to the CPM and CDFG describing how the measures described were implemented. The report shall include the MGS survey results, capture and release locations of any relocated squirrels, and any other information needed to demonstrate compliance with the measures described. [Survey required to be conducted after the installation of the desert tortoise exclusion fence and immediately prior to any ground disturbance.]	Report due within 30 days of completing MGS clearance surveys [Survey required after DT fencing, immed. prior to ground disturbance]		Complete
BIO-13	PC	Provide CPM and CDFG with the final version of the Burrowing Owl Monitoring and Mitigation Plan that has been reviewed and approved by the CPM in consultation with CDFG.	45 days prior to site mobilization		Complete
BIO-15	PC	Submit a formal acquisition proposal to the CPM, CDFG and USFWS describing the parcels intended for purchase or title/easement transfer.	90 days prior to acquisition of property		Complete
BIO-15	PC, CONS	Provide CPM with a management plan for review and approval, in consultation with CDFG, for the compensation lands and associated funds.	within 6 months of land purchase		Complete
BIO-18	PC	Submit to the CPM verification of payment to the REAT Account to support the regional raven monitoring plan. Payment shall be included in the AMS project's land management enhancement fund, pursuant to Condition of Certification BIO-15 (5(D)).	Prior to ground disturbance		Complete

Cond. #	Sort Code	Verification/Action/Submittal Required by Project Owner	Timeframe	Date Due to CEC CPM	Status
BIO-21	PC	Submit to CPM copy of USFWS Biological Opinion. Verify that the permit terms and conditions of the Biological Opinion are incorporated into the BRMIMP and will be implemented.	45 days prior to site mobilization		Complete
CUL-1	PC	Submit resume for Cultural Resources Specialist (CRS), and alternates if desired, for review and approval.	45 days prior to ground disturbance		Complete
CUL-1	PC	CRS shall provide a letter naming anticipated CRMs for the project and stating that they meet the minimum requirements for cultural resource monitoring.	20 days prior to ground disturbance		Complete
CUL-1	PC	Project owner shall confirm in writing to the CPM that the approved CRS will be available for onsite work and is prepared to implement the cultural resources conditions.	10 days prior to ground disturbance		Complete
CUL-2	PC	The project owner shall provide the AFC, data responses, and confidential cultural resources documents to the CRS, if needed, and the subject maps and drawings to the CRS and CPM. The CPM will review submittals in consultation with the CRS and approve maps and drawings suitable for cultural resources planning activities.	40 days prior to ground disturbance		Complete
CUL-3	PC	Submit the Cultural Resources Monitoring and Mitigation Plan (CRMMP) to the CPM for review and approval.	30 days prior to ground disturbance		Complete
CUL-3	PC	Letter provided to the CPM indicating that the owner agrees to pay curation fees for any materials collected as a result of the archaeological investigations.	30 days prior to ground disturbance		Complete
CUL-5	PC	The CRS shall provide the training program draft text and graphics and the informational brochure to the CPM for review and approval. The CPM will provide to the project owner a WEAP Training Acknowledgement form for each WEAP-trained worker to sign.	30 days prior to ground disturbance		Complete
CUL-6	PC	CPM will provide to the CRS an electronic copy of a form to be used as a daily monitoring log.	30 days prior to ground disturbance		Complete
CUL-7	PC	Provide the CPM and CRS with a letter confirming that the CRS, alternate CRS and CRMs have the authority to halt construction activities in the vicinity of a cultural resource discovery, and that the project owner shall ensure that the CRS notifies the CPM within 24 hours of a discovery or by Monday morning if the cultural resources discovery occurs between 8:00 AM on Friday and 8:00 AM on Sunday morning.	30 days prior to ground disturbance		Complete
LAND-3	PC	Submit evidence to the CPM, indicating approval of the merger of parcels by San Bernardino County, or written approval of another process that is acceptable to the county. Shall include evidence of compliance with all conditions and requirements associated with the approval of the Certificate of Merger and/or Notice of Lot Line Adjustment by the county. If all parcels or portions of parcels are not owned by the PO at the time of the merger, a separate deed shall be executed and recorded with the county recorder. A copy of the recorded deed shall be submitted to the CPM, as part of the compliance package.	30 days prior to construction		Complete
NOISE-1	PC	The project owner shall transmit to the compliance project manager (CPM) a statement, signed by the project owner's project manager, stating that the above notification has been performed, and describing the method of that notification. This communication shall also verify that the telephone number has been established and posted at the site, and shall provide that telephone number.	15 days prior to ground disturbance		Complete
NOISE-3	PC	Submit the noise control program to the CPM. Make the program available to Cal-OSHA upon request.	30 days prior to ground disturbance		Complete
NOISE-6	PC	Transmit to the CPM a statement acknowledging that the restrictions will be observed throughout the construction of the project.	Prior to ground disturbance		Complete
SOIL&WATER-5	PC	Submit to the CPM a copy of evidence that metering devices have been installed and are operational.	60 days prior to start of construction		Complete
SOIL&WATER-6	PC	Submit to the CPM, for review and approval, a comprehensive plan (Groundwater Level Monitoring and Reporting Plan) presenting all the data and information required in Item A above.Submit to the both the CPM all calculations and assumptions made in development of the plan.	60 days prior to construction		Complete
SOIL&WATER-7	PC	Groundwater Quality Monitoring and Reporting Plan in compliance with Item A shall be submitted to the CPM for review and approval.	60 days prior to construction		Complete
TRANS-1	PC	Propose new park-and-ride lot(s) to the County of San Bernardino for review and comment and the CPM for review and approval. The proposal shall include a rationale for the location of the lot(s) based upon the expected geographic distribution of employees and availability of suitable sites.	90 days prior to site mobilization		Complete
TSLN-1	CONS	Submit to the CPM a letter signed by a California registered electrical engineer affirming that the lines will be constructed according to the requirements stated in the condition.	30 days prior to construction of transmission line or related structures and facilities		Complete
WASTE-1	PC	Provide the plans to remove the underground storage tanks to the CPM for review and approval.	60 days prior to site mobilization		Complete
WASTE-1	PC	Inform the CPM of the data when all USTs were removed from the site.	MCR	after removal	Complete

Cond. #	Sort Code	Verification/Action/Submittal Required by Project Owner	Timeframe	Date Due to CEC CPM	Status
WASTE-3	PC	Submit to the CPM copies of all pertinent correspondence, work plans, agreements, and authorizations between the AMS Project and DTSC regarding Voluntary Site Cleanup Program requirements and activities at the AMS project site. The CPM shall revew and comment on the proposed Cleanup Program requirements and activities. Provide to the CPM written notice from DTSC that the AMS site has been investigated and remediated, as necessary, for compliance with the Voluntary Cleanup Program.	60 days prior to site mobilization		Complete
WASTE-5	PC	Submit the resume to the CPM for review and approval.	30 days prior to site mobilization		Complete
WORKERSAFETY-1	PC	Submit to the SBCFD a copy of the Construction Fire Prevention Plan and Emergency Action Plan for review and comment and a copy of the Project Construction Safety and Health Program to the CPM for review and approval.	30 days prior to start of construction		Complete
WORKERSAFETY-3	PC	Submit to the CPM the name and contact information for the Construction Safety Supervisor (CSS). The contact information of any replacement CSS shall be submitted to the CPM within one business day.	60 days prior to site mobilization		Complete
WORKERSAFETY-4	PC	Provide proof of its agreement to fund the Safety Monitor services to the CPM for review and approval.	60 days prior to start of construction		Complete
WORKERSAFETY-7	PC	Provide a $200,000 payment to San Bernardino County Fire Department prior to the start of construction. Provide documentation of the payment described above to the CPM. The CPM shall adjust the payments initially required by WORKER SAFETY-6 based upon the accounting provided by the SBCFD.	5 days prior to start of construction		Complete
PAL-1	PC	Submit a resume and statement of availability of its designated paleontological resource specialist (PRS) for on-site work.	60 days prior to ground disturbance		Complete
PAL-1	PC	Provide a letter with resumes naming anticipated monitors for the project, stating that the identified monitors meet the minimum qualifications for paleontological resource monitoring required by the condition. If additional monitors are obtained during the project, the PRS shall provide additional letters and resumes to the CPM. The letter shall be provided to the CPM no later than one week prior to the monitor's beginning on-site duties.	20 days prior to ground disturbance		Complete
PAL-2	PC	Provide the maps and drawings to the PRS and CPM.	30 days prior to ground disturbance		Complete
PAL-3	PC	Provide a copy of a paleontological resources monitoring and mitigation plan (PRMMP) to the CPM. The PRMMP shall include an affidavit of authorship by the PRS and acceptance of the PRMMP by the project owner evidenced by a signature.	30 days prior to ground disturbance		Complete
PAL-4	PC	Submit the proposed Worker Environmental Awareness Program (WEAP), including the brochure, with the set of reporting procedures for workers to follow.	30 days prior to ground disturbance		Complete
PAL-4	PC	Submit the training program presentation/ materials to the CPM for approval if planning to use a presentation format other than an in-person trainer for training.	30 days prior to ground disturbance		Complete