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August 14, 2012

Mr. Craig Hoffman, CPM
(09-AFC-3C)
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

SUBJECT: Mariposa Energy Project (09-AFC-3C)
COMPLIANCE-6 Monthly Compliance Report July 2012

Dear Mr. Hoffman:

Please find attached the Monthly Compliance Report (MCR) for the Mariposa Energy Project (MEP). The attached documentation has been prepared for the month of July 2012, and has been prepared in accordance with California Energy Commission (CEC) General Condition COMPLIANCE-6.

The MCR also contains documentation submitted in accordance with the following CEC Conditions of Certification:

- COMPLIANCE-5 : Updated Compliance Matrix
- AQ-SC3 and AQ-SC5: AQCMM Monthly Report
- BIO-2, BIO-6, BIO-9, BIO-10, BIO-11, BIO-12, BIO-17: Monthly Compliance Report (July 2012)
- BIO-5, CUL-5 and PAL-4: WEAP Training sign in sheets
- CUL-6: Cultural Resources Monthly Report (July 2012)
- PAL-5 : Paleontological Resources Monthly Report (July 2012)
- SOIL & WATER-2: DESCP Monthly Report (July 2012)
- WORKER SAFETY-3: Monthly Safety Report
- TRAN S-1: Roadway Encroachment Permits

If you have any questions regarding this submittal, please do not hesitate to contact me at (213) 473-0092 or Keith McGregor at (916) 286-0221.

Sincerely,

Bo Buchynsky
Mariposa Energy, LLC
Senior Vice President

cc: Gary Normoyle, Mariposa Energy, LLC
James Spicer, Mariposa Energy, LLC
Kristy Santucci, Bureau Veritas (CD-ROM Only)
Keith McGregor, CH2M HILL
Stephanie Moore, CH2M HILL

Monthly Compliance Report #13
July 1–31, 2012
Reporting Period

Mariposa Energy Project

Livermore, California
09-AFC-3C

Submitted to

California Energy Commission

Submitted by

Mariposa Energy, LLC

With Technical Assistance by

CH2MHILL

2485 Natomas Park Drive
Sacramento, California 95833

August 2012

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Monthly Compliance Report #13

1.0 Introduction

On May 18, 2011, the California Energy Commission (CEC) issued a license to Mariposa Energy, LLC (Mariposa Energy) for the construction and operation of the Mariposa Energy Project (MEP). The CEC Compliance Project Manager (CPM) issued a limited notice to proceed letter to Mariposa Energy on June 3, 2011, allowing the start of construction activities for surveying and fencing for the power plant and related linear facilities. On June 15, 2011, a full notice to proceed was issued.

This is the twelfth Monthly Compliance Report (MCR) for MEP (09-AFC-3C). This report covers engineering, procurement, construction, and environmental compliance activities that occurred during the period from July 1 to July 31, 2012.

2.0 Current Project Status

Mariposa Energy has contracted with LG Constructors (LG) to provide the engineering, procurement, and construction (EPC) services needed to build MEP. The Byron Bethany Irrigation District (BBID) is the construction manager for the water pipeline lateral with Tidelands Construction (Tidelands) as the general construction contractor for the water pipeline lateral. Pacific Gas and Electric Company (PG&E) will design, build, and operate the natural gas pipeline trunk-line from its gas main to the project's gas yard; PG&E's scope will end just downstream of the PG&E revenue meter.

In July, work focused on final site grading and start-up and commissioning of systems around the site. As of July 31, 2012, the project was 100 percent complete. Table 1 presents the percent complete numbers for the EPC activities as of the end of the month.

TABLE 1
Percent Complete for MEP Engineering, Procurement, and Construction Activities
MEP MCR #13 July 1 to July 31, 2012

Activity	Main MEP Site	Water Pipeline	Transmission Line	Natural Gas Pipeline
Engineering	100	100	100	100
Procurement	100– Engineered Equipment 100– Subcontracts	100	100	100
Construction	100	100	100	100

Engineering and procurement of the plant was completed in March. Construction was completed in June. LG's Monthly Progress Report is provided in Exhibit 1. LG did not prepare any drawing package submittals in July.

With regards to the BBID water supply, the CBO issued the final Certificate of Occupancy for the BBID Pump House in June.

PG&E completed work on the T-line corridor in May.

PG&E gas line corridor work was completed in February. The PG&E pipes and valve were painted in June, and the wildlife exclusion fencing was removed. PG&E installed gravel at the gas line valve enclosure on July 19, 2012.

During the month of July there were daily commissioning and start-up meetings attended by MEP, LG Construction, and Start-up groups for coordination and progress updates on the start-up process.

The project summary schedule for the main plant is no longer in use by LG. All construction is complete and the project has moved into the Commissioning Phase.

A key events list is included as Exhibit 2. The anticipated commercial operation date for MEP is September 1, 2012.

Construction photos taken during the reporting period are provided as Exhibit 3.

3.0 Engineering, Procurement, and Construction Activities

This section provides information on the EPC activities that were accomplished during the reporting period.

3.1 Engineering

LG did not submit any drawings and calculations for CBO approval in July.

The Master Submittal Log was last updated by LG on May 31, 2012, and can be found in MCR #11 and MCR #12.

3.2 Procurement

During the reporting period, the procurement status for the main plant is as follows:

LG did not issue any bid packages or subcontracts in July.

The following major MEP construction activities were accomplished between July 1 and July 31, 2012:

Water Pipeline Corridor and Pump Station Activities

- There was no construction activity on the water pipeline corridor or pump station in June.

Natural Gas Pipeline Activities

- PG&E laid rock at the gas line valve enclosure on July 19, 2012.

230-kV Transmission Line Interconnect Activities

- There was no construction activity on the transmission line in July.

Main Site Activities

- GE mapped Units 700, 800, and 900, completing all mapping at the units.
- Piping was repaired at the Chillers and control system replacement and wiring began.
- Emissions testing began at Units 900 and 600 late in July.
- PG&E rocked the natural gas valve enclosure on July 19, 2012.
- Gates, card readers, and gate operator panels were installed at the entrance from Bruns Road and at the site entrance.
- Permanent fence installation continued through early July.
- Final grading within the permanent site was completed in July.
- Installation of steps in manholes was completed.
- The deck and ramps and the owner's trailer were removed on July 3, 2012.
- The owner's trailer and Collins trailer were removed.
- Most of the subcontractors removed their equipment from the laydown area.

4.0 Project Compliance Activities

This section includes a description of the documents required by specific conditions to be submitted as part of the MCR. The specific documents required are attached as exhibits unless they have been previously submitted to the CEC's CPM as noted. A compliance matrix is attached as Exhibit 4 listing all of the applicable construction conditions and the status of each. The compliance matrix was updated during the reporting period to reflect the dates that compliance submittals were provided to the CEC and the dates of any approvals by the CBO, CEC CPM, or delegate agency.

AQ-SC3: Discussion on the control of dust plumes during construction is included in the air quality control management (AQCMM) report from LG, provided in Exhibit 5.

AQ-SC5: Reporting on the control of diesel construction emissions during construction is included in the AQCMM report from LG in Exhibit 5.

AQ-SC6: An air permit modification, an Authority to Construct permit application for the diesel fire water pump engine was submitted to the BAAQMD on July 30, 2012 (Exhibit 9).

AQ-SC9: During the month of July, no unabated combustion turbines were in operation.

AQ-SC10: No testing has been scheduled for the fire pump engine since May 25, 2012, when the first unit was first fired.

AQ-10: On June 7, 2012, Mariposa Energy Project provided to BAAQMD and CEC the required seven day notification of emissions testing. It was approved by CEC on June 12, 2012.

BIO-2: Todd Ellwood is the Designated Biologist for MEP. A summary of the biological resource activities for the reporting period is included in Exhibit 6.

BIO-5: 29 people were trained on the Worker Environmental Awareness Program (WEAP) in July, bringing the cumulative total of WEAP-trained individuals to date to 1,083.

BIO-6: A discussion on the status of Biological Resources Mitigation Implementation and Monitoring Plan measures (e.g., surveys, species observed, and construction activities) is included in the Designated Biologist's monthly report in Exhibit 6. There have been no modifications to the approved BRMIMP to date.

BIO-9: A summary of the branchiopod avoidance measures implemented during the reporting period is included in Exhibit 6.

BIO-10: A summary of the implementation of California tiger salamander and California red-legged frog avoidance measures is included in Exhibit 6.

BIO-11: A summary of the implementation of western pond turtle avoidance measures is included in Exhibit 6.

BIO-12: A summary of the implementation of burrowing owl avoidance measures is included in Exhibit 6.

BIO-16: On March 19, 2012, MEP sent a request to the CEC to consider amending the verification language of BIO-16 to accommodate a delay in approval of the Mountain House Conservation Bank. On May 21, 2012, the CEC issued revision to the verification language allowing 90 days after commencement of commercial operations to submit the proof of credit purchase.

BIO-17: A summary of the implementation of impact avoidance and mitigation measures for waters and wetlands is included in Exhibit 6.

CIVIL-2: The Resident Engineer has not stopped earthwork and construction as a result of unforeseen adverse geologic/soil conditions to date.

CIVIL-3: No Non-Conformity Reports (NCR) were submitted during the reporting period for the main project site and water pipeline.

CUL-5: Copies of the signed WEAP training sheets are included as Exhibit 7.

CUL-6: Clint Helton is the CRS. The monthly cultural resources monitoring report is included in Exhibit 6. There have been no discoveries of Native American cultural materials at the site, and there have been no transmittals of information to, nor comments or information provided by Native Americans regarding the project to date. There have been no incidents of non-compliance to date.

CUL-7: There have been no discoveries at the project site to date.

GEN-2: A copy of the latest Master Submittal Schedule updated May 31, 2012, can be found in MCR #11 and MCR #12.

HAZ-2: The Risk Management Plan, the Spill Prevention Control and Countermeasure Plan, and the Hazardous Materials Business Plan were submitted to the CEC and the Alameda

County Department of Environmental Health for review and approval on March 29, 2012. On May 8, 2012, representatives from Alameda conducted a preliminary inspection of the site and on May 18, 2012, Alameda issued their review comments on the submitted plans. Responses are pending information required from the EPC contractor.

LAND-2: On May 16, 2012, notice and photographs were submitted to the CEC showing that the year-round water supply for livestock had been installed at the site. This condition was approved on May 23, 2012.

NOISE-2: No noise complaints occurred during the reporting period.

PAL-4: Copies of the signed WEAP training sheets are included as Exhibit 7.

PAL-5: The paleontological monthly monitoring report is included in Exhibit 6.

PAL-6: There have been no fossils collected and sent to the museum for curating to date.

SOIL & WATER-2: The qualified Stormwater Pollution and Prevention Plan (SWPPP) developer, Mieke Sheffield, has summarized the monthly status report of the Drainage, Erosion, Sedimentation Control Plan (DESCP) measures in Exhibit 6.

SOIL & WATER-3: A Notice of Non-Applicability (NONA) that was submitted to the RWQCB and the approval letter from the RWQCB was submitted to the CEC on July 19, 2012.

TRANS-1: Two Heavy Haul Roadway use permits were issued in July for the removal of subcontractor trailers. The permits issued are as follows: State of California: 902823; County of Alameda: 38210.

TRANS-7: On May 10, 2012, Mariposa Energy Project submitted notification to the CEC that the FAA obstruction lighting was installed and operational and ready for inspection. This was approved by the CEC on May 23, 2012.

TSE-1: The transmission facility design submittals are included in the master submittal schedule. The last schedule, updated on May 31, 2012, may be found in MCR #11 and MCR #12.

TSE-6: On June 7, 2012, Mariposa Energy Project provided to CAISO Coordination Department the required one day notification of initial synchronization to the grid. A letter report indicating the conversation had taken place was sent to the CEC.

TSE-7: There have been no cases of non-conformance at the project site to date.

VIS-3: There have been no complaints about construction lighting to date.

VIS-4: A letter notifying the CEC that the permanent exterior lighting was installed and ready for inspection was sent to the CEC on May 29, 2012.

WASTE-2: There has been no potentially contaminated soil identified at the project site to date, and no suspension of construction activity by the Professional Engineer or Geologist has occurred.

WASTE-4: There have been no instances of waste-management related enforcement actions associated with the project to date.

WORKER SAFETY-3: The monthly safety inspection report from LG is included in Exhibit 8 of this report.

5.0 Submittal Deadlines Not Met

No submittal deadlines were missed during the reporting period.

6.0 Conditions Satisfied During Reporting Period

No conditions of certification were satisfied during the reporting period of July 1 to July 31, 2012.

7.0 Approved Changes to Conditions of Certification and Filings or Permits Issued by Other Government Agencies

Table 2 provides a list of filings submitted to other governmental agencies through July 31, 2012.

TABLE 2
Filings Submitted to Other Governmental Agencies During the Reporting Period
MEP MCR #13 July 1 to July 31, 2012

Type of Permit	Governmental Agency	Date Submitted
Authority to Construct Permit Application for the diesel fire water pump engine	Bay Area Air Quality Management District	7/30/12

8.0 Anticipated Compliance Activities for August 2012

Mariposa Energy will continue to provide progress updates on the compliance activities discussed above in future monthly reports. Additionally, the following compliance documents will continue to be monitored with the CEC or submitted during August:

- BIO-18: Revegetation and Restoration
- LAND-1: Documentation of Restored Area
- TRANS-5: Transportation of Hazardous Materials
- VIS-2: Surface Restoration
- GEN-7: Discrepancy in Design

9.0 Additions to Onsite Compliance File

Copies of the documents included in the exhibits to this MCR have been added to the onsite compliance files.

10.0 Request to Dispose of Items Required to be Maintained in Project Files

There are no files in the project compliance files that Mariposa Energy is requesting to dispose of.

11.0 Complaints, Violations, Warnings, Citations

There were no complaints, violations, warnings, or citations during the month of July.

Exhibit 1
LG Monthly Progress Reports

Diamond Generating Corporation
A Subsidiary of Mitsubishi Corporation

MARIPOSA ENERGY PROJECT MONTHLY PROGRESS REPORT JULY 2012

LG Constructors

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1 Executive Summary

Summary

Mariposa Energy, LLC (MEL) issued a Notice to Proceed (NTP) to LG Constructors (LG) on December 20, 2010 to begin engineering activities for the Mariposa Energy Project. LG began working on the project on December 20, 2010 developing specifications for the long lead procurement items for the project and reviewing the contract documents.

The project was approved by the California Energy Commission on May 18th, 2011. The ATC from the BAAQMD and CBO was received.

MEL granted full site access on July 18th. The easement on the transmission line corridor next to the Kelso Compressor Station was approved in late December by the CPUC and PG&E.

During the month the chillers for the project continued to experience operational problems and were unable to achieve consistent chilled water output and maintain consistent running. Stellar is currently on site changing the control system with the units.

Engineering & Design

Engineering & Design continued responded to field questions during the month. Engineering is currently 100% complete with only as-built drawings and responding to field questions remaining.

Procurement

Procurement activities for July included issuing field purchase orders in support of Start-Up activities

Issued Equipment Bid Packages for: None

Issued Purchase Orders for Equipment: None

The Subcontract Inquiry Packages: None

Construction

During the month of July, Construction activities continued with working on the plant perimeter fencing and gates.

Startup & Commissioning

During the month of July, Startup continued commissioning activities for chillers. Emission testing of the CTG Units started at the end of the month. Commissioning turnover packages are complete.

Schedule

Critical path runs through completion of the control modifications to the chillers and the completion of the performance and emission testing.

Priorities/ Issues/ Concerns

Because of the chiller operational issues, we currently estimate a Substantial Completion Date for the project to be August 14th.

2 Safety

Major Activities and Accomplishments:

- Continued to provide safety training for craft employees

Planned Activities for next month:

- Continue safety training for craft employees.

Safety Record

See Safety Statistics next page.

4 Summary of Progress and Status

Engineering Progress:

General

Major Activities and Accomplishments:

- Support construction and SU needs

Planned Activities for July 2012:

- Support construction and SU needs

Areas of Concern

- None

Procurement Status

Current Month Major Activities

- Issued Equipment Inquiry Packages for: None, all major packages have been released and issued
- Received Equipment Bids for: None, all major package proposals have been received
- Awarded Equipment Purchase Orders for: None
- Issued Subcontract Bid Packages for: None
- Received revised Subcontract Proposal for: None

Construction:

Major Activities and Accomplishments:

- Completed retention pond
- Complete security system
- Worked on fencing vehicle gates

Planned Activities for next month:

- Complete site fencing
- Final site work
- Complete Chiller Modifications

Startup and Commissioning:

- Continue to commission and work on systems.
- Completed walk downs for system T/O
- Continue to develop plans and/or ideas to help progress the project as safely and efficiently as possible.
- Performed Emission Testing

5 Priorities/ Issues/ Concerns

Pending Change Status

Change Order Status

The heater sizing for the anti-icing heater needs resolution.

A change order request for the delay in water delivery to the site per EPC Contract Article 5.1.4 c has been issued.

A change order for additional paving was issued.

Priorities/ Issues/ Concerns

Claim Status

No issues at this time.

6 Engineering Deliverables

No new submittals this month.

7 Procurement Reports

Procurement Status Reports

No new reports this month. Procurement is complete.

8 Quality Assurance/ Quality Control

Quality Assurance

Engineering

- No activity

Procurement

- No activity

Supplier Shop Inspections

- No activity

Construction

- No activity

9 Project Schedule

Schedule Overview

Critical Path Analysis:

Engineering: None

Procurement: None

Subcontracts: None
Construction: None

Startup:

1. Chiller Commissioning
2. Performance Testing
3. Emission Testing
4. Noise Testing

11 Progress Measurement

Engineering (Percent Complete) and Manpower

The overall engineering percent complete is 100% not counting as-built drawings and can be broken down by discipline as follows:

Architectural	100%
Civil	100%
Electrical	100%
General Arrangements	100%
Instrument & Controls	100%
Mechanical	100%
Piping	100%
Structural	100%
Transmission & Distribution	100%

The overall engineering progress curves are on the following sheets. The following graph also indicates the overall engineering manpower status based on full time equivalents.

Procurement (Percent Complete)

The current procurement percent complete is 100%.

Construction (Percent Complete)

The current construction percent complete is 100%

Overall (Percent Complete)

The current overall percent complete is 99.8%

15 Progress Photographs

Unit 600 Looking North

Aerial Site View 2

Aerial View 3

Aerial View 4

Exhibit 2
Key Events List

COMPLIANCE TABLE 1
SUMMARY of COMPLIANCE CONDITIONS OF CERTIFICATION

KEY EVENTS LIST

PROJECT: Mariposa Energy Project

DOCKET #: 09-AFC-03C

COMPLIANCE PROJECT MANAGER: Craig Hoffman

EVENT DESCRIPTION	DATE
Certification Date	5/18/11
Obtain Site Control	6/15/11*
Online Date	7/1/12
POWER PLANT SITE ACTIVITIES	
Start Site Mobilization	6/7/11
Start Ground Disturbance	6/7/11
Start Grading	6/15/11
Start Construction	6/7/11
Begin Pouring Major Foundation Concrete	6/22/11
Begin Installation of Major Equipment	10/21/11
Completion of Installation of Major Equipment	5/1/2012
First Combustion of Gas Turbine	5/25/12
Obtain Building Occupation Permit	5/31/12
Start Commercial Operation	9/1/12
Complete All Construction	7/1/12
TRANSMISSION LINE ACTIVITIES	
Start T/L Construction	9/2/11
Synchronization with Grid and Interconnection	5/19/12
Complete T/L Construction	3/9/12
FUEL SUPPLY LINE ACTIVITIES	
Start Gas Pipeline Construction and Interconnection	1/17/12
Complete Gas Pipeline Construction	2/27/12
WATER SUPPLY LINE ACTIVITIES	
Start Water Supply Line Construction	6/7/11
Complete Water Supply Line Construction	4/27/12

COMPLIANCE TABLE 1
SUMMARY of COMPLIANCE CONDITIONS OF CERTIFICATION

*A full NTP was issued on June 15, 2011, however a partial NTP was issued on June 3, 2011, which allowed the completion of land surveying activities, installation of the worker and biological exclusion fencing, installation of BMPs, and the completion of preconstruction surveys.

Exhibit 3
Construction Photographs

Work finishing the detention pond included grading and fence installation at the beginning of July.

Final grading within the plant area was completed at the beginning of the month.

AZCO used the warehouse for welding to fix piping for the chillers.

Teichert tore down the deck at the owner's trailer and conference room on July 3, 2012.

Permanent fencing was installed on the eastern plant boundary.

Razor wire was also installed with the permanent fencing around the site.

AZCO continued welding operations through early July to support chiller commissioning.

The detention pond grading, outfall structure, and fencing was completed by mid-July.

Chiller oil separators and piping were worked on throughout the month.

PG&E contractors rocked the natural gas valve enclosure on July 19, 2012.

The gate control panel was installed and tested at the plant entrance gate in mid-July.

Stellar and Rapid Recovery worked on chiller oil systems.

Additional work done at chillers in mid-July.

Avogadro set up at Unit 900 to prepare for emissions testing.

AZCO modified chiller piping to allow for future connections.

Stellar representatives commissioning Chiller unit 4.

Most subcontractors removed their equipment from the laydown yard by the end of July.

The number of workers at the site dwindled towards the end of July, as can be seen by the number of cars in the parking lot.

Delta AQS sets up at Unit 600 for emissions testing on July 30, 2012.

UE Compression made some adjustments at the fuel gas compressor at the end of July.

Exhibit 4
Compliance Matrix

MARIPOSA ENERGY PROJECT COMPLIANCE MATRIX BASED ON FINAL COMMISSION DECISION

July 1 to July 31, 2012

Item #	Technical Area	Cond. Number	Phase	Description	Verification/Action	Submittal	Submittal Date Required	Expected or Actual Submittal Date	Date of Approval	Status	Notes
1	AQ	AQ-SC1	CONS	Designate and retain an on-site Air Quality Construction Mitigation Manager (AQCMM) who shall be responsible for directing and documenting compliance with **AQ-SC3, AQ-SC4, and AQ-SC5** for the entire project site and linear facility construction. The on-site AQCMM may delegate responsibilities to one or more AQCMM delegates. The AQCMM shall not be terminated without written consent of the compliance project manager (CPM).	Submit to the CPM for approval, the name, resume, qualifications, and contact information for the on-site AQCMM and all AQCMM delegates. The AQCMM and all delegates must be approved by the CPM before the start of ground disturbance.	Resume of AQCMM & Delegates	At least 60 days prior to ground disturbance	10/21/2011	10/26/2011	Complete	Original submittals completed 4/8/11, PG&E AQCMM resume submitted 10/21/11 and approved on 10/26/11.
2	AQ	AQ-SC2	PC	Provide, for approval, an Air Quality Construction Mitigation Plan (AQCMP) that details the steps to be taken and the reporting requirements necessary to ensure compliance with conditions of certification **AQ-SC3, AQ-SC4 and AQ-SC5.**	Submit the AQCMP to the CPM for approval. The CPM will notify the project owner of any necessary modifications to the plan within 30 days from the date of receipt. The AQCMP must be approved by the CPM before the start of ground disturbance.	AQCMP	At least 60 days prior to ground disturbance	Complete	2/28/2011	Complete	Revised AQCMP submitted 6/20/11
3	AQ	AQ-SC3	CONS	Submit documentation to the CPM in each monthly compliance report (MCR) that demonstrates compliance with mitigation measures (a) through (m) in the Condition for purposes of preventing all fugitive dust plumes from leaving the project site and linear facility routes. Any deviation from the following mitigation measures shall require prior CPM notification and approval. **(See FINAL Conditions for a List of All Measures)**	The MCR shall include: (1) a summary of all actions taken to maintain compliance with this condition; (2) copies of any complaints filed with the air district in relation to project construction; and (3) 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 at the project owner's discretion, as approved by the CPM.	MCR	Monthly	On-going	NA	In-progress	See page 5-1 of the AQCMP and Section 6
4	AQ	AQ-SC4	PC	AQCMM or delegate shall monitor all construction activities for visible dust plumes. Observations of visible dust plumes with the potential to be transported off the project site, 200 feet beyond the centerline of the construction of linear facilities, or within 100 feet upwind of any regularly occupied structures not owned by the project owner indicate that existing mitigation measures are not providing effective mitigation. The AQCMM or delegate shall then implement Steps 1 through 3 in the Condition in the event such visible dust plumes are observed. **(See FINAL Conditions for a List of All Measures)**	The AQCMP shall include a section detailing how additional mitigation measures will be accomplished within the specified time limits.	see AQ-SC2	At least 60 days prior to ground disturbance	Complete	NA	Complete	

Item #	Technical Area	Cond. Number	Phase	Description	Verification/Action	Submittal	Submittal Date Required	Expected or Actual Submittal Date	Date of Approval	Status	Notes
5	AQ	AQ-SC5	CONS	Submit to the CPM, in the MCR, a construction mitigation report that demonstrates compliance with mitigation measures (a) through (f) in the Condition for purposes of controlling diesel construction related emissions. Any deviation from the mitigation measures shall require prior CPM notification and approval. **(See FINAL Conditions for a List of All Measures)**	Include in the MCR: (1) a summary of all actions taken to maintain compliance with this condition; (2) a 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 the equipment has been properly maintained; and (3) 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 at the project owner's discretion, as approved by the CPM.	MCR	Monthly	On-going	NA	In-progress	
6	AQ	AQ-SC6a	CONS	Any modification to any project air permit that is proposed by the project owner, the District, or U.S. EPA shall be submitted to the CPM for review and approval.	Submit any proposed air permit modification to the CPM within five working days of either: 1) submittal by the project owner to an agency, or 2) receipt of proposed modifications from an agency.	(If Needed)	Within 5 working days of proposing permit modification	As-needed	NA	As-needed	
7	AQ	AQ-SC6b	CONS	Any revised permit issued by the District or U.S. EPA for the project shall be submitted to the CPM for review and approval.	Submit all modified air permits to the CPM within 15 days of receipt.	(If Needed)	Within 15 days of receipt of permit revision	As-needed	NA	As-needed	
8	AQ	AQ-SC7a	PC	Offsets or emission reduction credits (ERCs) in the quantities of at least 22.72 tons per year (tpy) NOx, 2.51 tpy VOC, 8.13 tpy PM10, and 1.10 tpy SOx emissions shall be provided. The NOx and/or VOC ERCs from among BAAQMD Certificate Numbers 1182 and/or 1184, or an alternate certificate, as allowed by this condition [AQ-SC7] shall be surrendered. If additional ERCs are submitted, the project owner shall submit an identification of the additional ERCs to the CPM. CPM approval for any substitutions, modifications, or additions to the listed credits shall be requested.	The project owner shall submit to the CPM records showing that the project's BAAQMD offset requirements have been met prior to initiating construction.	ERC's	Prior to construction	Complete	5/25/2011	Complete	
9	AQ	AQ-SC7b	CONS	To demonstrate that a sufficient quantity of local emission reductions of PM10 and/or SOx occur, a report shall be provided that identifies the feasible timing of the reductions and the ultimate use and cost effectiveness of the $644,503 fee in the Air Quality Mitigation Settlement Agreement executed by the San Joaquin Valley Air Pollution Control District Governing Board, December 17, 2009. If insufficient emission reductions would result from the use of the fee, then the project owner shall expand the scope of the Settlement Agreement and fee or surrender sufficient PM10 and/or SOx ERCs as described in the condition.	The project owner shall submit to the CPM records showing that the local emission reductions achieved by using the SJVAPCD fee are likely to occur prior to initiating operation.	Letter	Prior to Turbine Commissioning	5/24/2012	5/25/2012	Complete	Fees paid to SJVAPCD in October 2011 with delivery of the first turbine. Direction to proceed with spending funds given to SJVAPCD. Letter sent to CEC showing likely local emissions reductions with use of funds submitted to the CEC on 5/24/12.

Item #	Technical Area	Cond. Number	Phase	Description	Verification/Action	Submittal	Submittal Date Required	Expected or Actual Submittal Date	Date of Approval	Status	Notes
10	AQ	AQ-SC7c	PC	The CPM, in consultation with the District, may approve any such change to the ERC list provided that the project remains in compliance with all applicable laws, ordinances, regulations, and standards, and that the requested change(s) will not cause the project to result in a significant environmental impact. The District must also confirm that each requested change is consistent with applicable federal and state laws and regulations.	If the CPM approves a substitution or modification to the list of ERCs, a statement of the approval shall be filed with the project owner and the Energy Commission docket. The CPM shall maintain an updated list of approved ERCs for the project.	--	Prior to construction	Complete	5/25/2011	Complete	
11	AQ	AQ-SC8	OPS	Submit to the CPM quarterly operation reports that include operational and emissions information as necessary to demonstrate compliance with the conditions of certification. The quarterly operation report shall specifically note or highlight incidences of noncompliance.	Submit quarterly operation reports to the CPM and APCO. This information shall be maintained on site for a minimum of five years and shall be provided to the CPM and District personnel upon request.	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	On-going		Not Started	
12	AQ	AQ-SC9	COMM	The facility shall be operated such that simultaneous commissioning of the combustion turbines will not occur without abatement of nitrogen oxide and CO emissions by its SCR system and oxidation catalyst system. Operation of a combustion turbine during commissioning without abatement shall be limited to discrete commissioning activities that can only be properly executed without the SCR or Oxidation Catalyst Systems fully operational.	Submit a monthly compliance report to the CPM during the commissioning period demonstrating compliance with this condition.	MCR	Monthly	6/24/2012		In-progress	
13	AQ	AQ-SC10a	COMM	The diesel fire water pump engine (proposed rating: 220 horsepower) shall be certified as meeting ARB Tier 3 or better standards. Scheduled testing of the fire pump engine shall not occur during operation of any combustion turbine in commissioning mode. Any planned test of the fire pump engine shall last no more than 30 minutes and shall be completed only between 8 a.m. and 11 a.m. standard time.	Submit a monthly compliance report to the CPM during the commissioning period demonstrating compliance with this condition.	MCR	Monthly	6/24/2012		In-progress	
14	AQ	AQ-SC10b	OPS	The diesel fire water pump engine (proposed rating: 220 horsepower) shall be certified as meeting ARB Tier 3 or better standards. Scheduled testing of the fire pump engine shall not occur during operation of any combustion turbine in commissioning mode. Any planned test of the fire pump engine shall last no more than 30 minutes and shall be completed only between 8 a.m. and 11 a.m. standard time.	Submit a quarterly operation report (AQ-SC8) demonstrating compliance with this condition.	Quarterly Operation Report	Quarterly	30-Sep-12		Not Started	
15	AQ	AQ-1	COMM	Minimize emissions of carbon monoxide and nitrogen oxides from S-1, S-2, S-3 and S-4 Gas Turbines to the maximum extent possible during the commissioning period.	A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQSC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	30-Sep-12		Not Started	

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16	AQ	AQ-2	COMM	At the earliest feasible opportunity in accordance with the recommendations of the equipment manufacturers and the construction contractor, the project owner shall tune the S-1, S-2, S-3 and S-4 Gas Turbines combustors to minimize the emissions of carbon monoxide and nitrogen oxides.	A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQSC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	30-Sep-12		Not Started	
17	AQ	AQ-3	COMM	At the earliest feasible opportunity in accordance with the recommendations of the equipment manufacturers and the construction contractor, the project owner shall install, adjust, and operate the A-1, A-3, A-5 and A-7 Oxidation Catalysts and A-2, A-4, A-6 and A-8 SCR Systems to minimize the emissions of carbon monoxide and nitrogen oxides from S-1, S-2, S-3, and S-4 Gas Turbines.	A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQSC8)	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	30-Sep-12		Not Started	
18	AQ	AQ-4	COMM	Submit a plan to the District Engineering Division and the CEC CPM at least four weeks prior to first firing of S-1, S-2, S-3, and S-4 Gas Turbines describing the procedures to be followed during the commissioning of the gas turbines. The plan shall include the elements outlined in the condition [AQ-4]. The Gas Turbines (S-1, S-2, S-3 or S-4) shall not be fired sooner than 28 days after the District receives the commissioning plan.	Submit a commissioning plan to the CPM and APCO for approval describing the procedures to be followed during the commissioning period and the anticipated duration of each commissioning activity.	Commissioning Plan	At least 4 weeks prior to first firing of the gas turbine	4/11/2012	4/11/2012	Conditionally approved by CEC on 4/11-see notes.	CEC approved the plan, but will not allow more than one unabated turbine to be operated per day.
19	AQ	AQ-5	COMM	During the commissioning period, demonstrate compliance with AQ-7, AQ-8, AQ-9, and AQ-10 through the use of properly operated and maintained continuous emission monitors and data recorders for the parameters and emission concentrations listed in this condition [AQ-5]. The monitored parameters shall be recorded, and District-approved calculation methods shall be used, as outlined in this condition. Records shall be retained on site for at least 5 years from the date of entry and such records will be made available to District personnel upon request. **(See FINAL Conditions for a List of All Measures)**	Submit to the CPM and APCO for approval the commissioning plan as required in AQ-4.	see AQ-4	At least 4 weeks prior to first firing of the gas turbine	4/11/2012	4/11/2012	Conditionally approved by CEC on 4/11-see notes.	CEC approved the plan, but will not allow more than one unabated turbine to be operated per day.

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20	AQ	AQ-6	COMM	Install, calibrate, and operate the District-approved continuous monitors specified in AQ-5 prior to first firing of the Gas Turbines (S-1, S-2, S-3 and S-4). After first firing of the turbines, adjust the detection range of these continuous emission monitors as necessary to accurately measure the resulting range of CO and NOx emission concentrations. The instruments shall operate at all times of operation of S-1, S-2, S-3, and S-4 including start-up, shutdown, upset, and malfunction, except as allowed by BAAQMD Regulation 1-522, BAAQMD Manual of Procedures, Volume V. If necessary to comply with this requirement, the project owner shall install dual-span monitors. The type, specifications, and location of these monitors shall be subject to District review and approval.	Make the site available for inspection by representatives of the District, ARB, and the Commission upon request.	--	Prior to first firing of the Gas Turbines	05/14/12		complete	Letter sent and CEC
21	AQ	AQ-7	COMM	The Gas Turbines shall not be fired without abatement of nitrogen oxide emissions and/or abatement of CO emissions, as described in this condition. Such operation of any Gas Turbine without abatement shall be limited to discrete commissioning activities that can only be properly executed without the SCR system and/or oxidation catalyst in place. Upon completion of these activities, provide written notice to the District Engineering and Enforcement Divisions and the unused balance of the 200 firing hours for each turbine without abatement shall expire.	Submit to the CPM and APCO for approval the commissioning plan as required in AQ-4. A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8).	see AQ-4 / Quarterly Operation Report	Upon Completion of activities	30-Sep-12		Not Started	LG to notify DGC that commissioning activities without abatement are complete. DGC to notify CPM and BAAQMD. Debi to send reminder to Tim to provide this notification.
22	AQ	AQ-8	COMM	The total mass emissions of nitrogen oxides, carbon monoxide, precursor organic compounds, PM10, and sulfur dioxide that are emitted by the Gas Turbines (S-1, S-2, S-3, and S-4) during the commissioning period shall accrue towards the consecutive twelve-month emission limitations specified in AQ-20.	A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8)	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	30-Sep-12		Not Started	LG to provide commissioning data for DGC quarterly report
23	AQ	AQ-9	COMM	The Gas Turbines (S-1, S-2, S-3, and S-4) shall not be operated in a manner such that the combined pollutant emissions from the turbines will exceed the limits in this condition during the commissioning period. These emission limits shall include emissions resulting from the start-up and shutdown of the Gas Turbines. In addition, commissioning activities will be conducted on no more than one turbine/day.	The limits in this condition for NOx and CO both apply. A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	30-Sep-12		Not Started	LG to provide commissioning data for DGC-OPS quarterly report

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24	AQ	AQ-9a	COMM	The Gas Turbines (S-1, S-2, S-3, and S-4) shall not be operated in a manner such that the pollutant emissions from each gas turbine will exceed the limits in this condition during the commissioning period. These emission limits shall include emissions resulting from the start-up and shutdown of the Gas Turbines. In addition, commissioning activities will be conducted on no more than one turbine/day.	The limits in this condition for NOx and CO both apply. A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	30-Sep-12		Not Started	LG to provide commissioning data for DGC quarterly report
25	AQ	AQ-10a	COMM	Within 90 days after startup of each turbine, conduct District and CEC approved source tests on that turbine to determine compliance with the emission limitations specified in AQ-17. The source tests shall be conducted and analyzed in accordance with this condition [AQ-10].		--	Within 90 days of startup of each turbine	7/24/2012		Not Started	Started July, 2012
26	AQ	AQ-10b	COMM	Thirty working days before the execution of the source tests, submit to the District and the CEC Compliance Program Manager (CPM) a detailed source test plan for approval. The District and the CEC CPM will notify the project owner of any necessary modifications to the plan within 20 working days of receipt of the plan; otherwise, the plan shall be deemed approved. The Project owner shall incorporate the District and CEC CPM comments into the test plan.	Submit a source test plan to the CPM and APCO for approval a**s part of the commissioning plan** required in AQ-4.	Source Test Plan	30 working days prior to the source testing date	5/7/2012	5/10/2012	approved	BAAQMD approved on 5/8/10 and CEC approved it on 5/10/12.
27	AQ	AQ-10c	COMM	Notify the District and the CEC CPM within seven (7) working days prior to the planned source testing date.		Notification to District	7 working days prior to the source testing date	7/10/2012	6/12/2012	approved	Letter sent and CEC and BAAQMD on June 7, 2012
28	AQ	AQ-10d	COMM	Submit the source test results to the District and the CEC CPM within 60 days of the source testing date.		Source Test Results	within 60 days of the source testing date	8/23/2012		Not Started	
29	AQ	AQ-11	OPS	Fire the Gas Turbines (S-1, S-2, S-3, and S-4) exclusively on PUC-regulated natural gas with a maximum sulfur content of 1 grain per 100 standard cubic feet. To demonstrate compliance with this limit, the operator of S-1, S-2, S-3 and S-4 shall sample and analyze the gas from each supply source at least monthly to determine the sulfur content of the gas. PG&E monthly sulfur data may be used provided that such data can be demonstrated to be representative of the gas delivered to the MEP.	The result of the natural gas fuel sulfur monitoring data and other fuel sulfur content source data shall be submitted to the District and CPM in the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	On-going		Not Started	
30	AQ	AQ-12	OPS	The units shall not be operated such that the heat input rate to each Gas Turbine (S-1, S-2, S-3, and S-4) exceeds 481 MMBtu (HHV) per hour.	A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	On-going		Not Started	
31	AQ	AQ-13	OPS	The units shall not be operated such that the heat input rate to each Gas Turbine (S-1, S-2, S-3, and S-4) exceeds 11,544 MMBtu (HHV) per day.	A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	On-going		Not Started	

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32	AQ	AQ-14	OPS	The units shall not be operated such that the combined cumulative heat input rate for the Gas Turbines (S-1, S-2, S-3, and S-4) exceeds 8,128,900 MMBtu (HHV) per year.	A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	On-going		Not Started	
33	AQ	AQ-15a	OPS	Turbines S-1, S-2, S-3, or S-4 shall not be operated such that the hours of operation for any of the four units exceeds 5,200 hours per year.	A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	On-going		Not Started	
34	AQ	AQ-15b	OPS	Turbines S-1, S-2, S-3, or S-4 shall not be operated such that the hours of operation for the four units combined exceeds 16,900 hours per year.	A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	On-going		Not Started	
35	AQ	AQ-16	OPS	Ensure that each Gas Turbine (S-1, S-2, S-3, S-4) is abated by the properly operated and properly maintained Selective Catalytic Reduction (SCR) System A-2, A-4, A-6, or A-8 and Oxidation Catalyst System A-1, A-3, A-5, or A-7 whenever fuel is combusted at those sources and the corresponding SCR catalyst bed (A-2, A-4, A-6 or A-8) has reached minimum operating temperature.	Make the site available for inspection by representatives of the District, ARB, and the Commission upon request. A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	On-going		Not Started	
36	AQ	AQ-17	OPS	The Gas Turbines (S-1, S-2, S-3, S-4) shall comply with requirements (a) through (g) in this condition [AQ-17]. Requirements (a) through (f) do not apply during a gas turbine start-up, and shutdown.	A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	On-going		Not Started	
37	AQ	AQ-18	OPS	The regulated air pollutant mass emission rates from each of the Gas Turbines (S-1, S-2, S-3, and S-4) during a start-up or shutdown shall not exceed the limits established in this condition (shown in Table 40). Startups shall not exceed 30 minutes. Shutdowns shall not exceed 15 minutes.	A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	On-going		Not Started	
38	AQ	AQ-19	OPS	Total combined emissions from the Gas Turbines (S-1, S-2, S-3, and S-4), including emissions generated during gas turbine start-ups and shutdowns, shall not exceed the limits (a) through (d) of this condition during any calendar day.	A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	On-going		Not Started	
39	AQ	AQ-20	OPS	Cumulative combined emissions from the Gas Turbines (S-1, S-2, S-3, and S-4), including emissions generated during gas turbine start-ups, shutdowns, and malfunctions shall not exceed the limits (a) through (e) of this condition during any consecutive twelve-month period. Emissions of PM10 from each gas turbine shall be calculated by multiplying turbine fuel usage times an emission factor determined by source testing of the turbine conducted in accordance with Part 26. The emission factor for each turbine shall be based on the average of the emissions rates observed during the 4 most recent source tests on that turbine (or, prior to the completion of 4 source tests on a turbine, on the average of the emission rates observed during all source tests on the turbine).	A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	On-going		Not Started	

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40	AQ	AQ-21	COMM/OPS	The maximum projected annual toxic air contaminant emissions (per AQ-24) from the Gas Turbines (S-1, S-2, S-3, S-4) combined shall not exceed the limits in this condition [AQ-21]. A health risk assessment shall be performed using the emission rates determined by the procedures described in this condition. The risk analysis shall be submitted to the District and the CEC CPM within 60 days of the source test date. The project owner may request that the District and the CEC CPM revise the carcinogenic compound emission limits, as described in this condition. If the project owner demonstrates to the satisfaction of the APCO that these revised emission limits will not result in a significant cancer risk, the District and the CEC CPM may, at their discretion, adjust the carcinogenic compound emission limits listed in this condition.	Source test results obtained through compliance with AQ-24 and AQ-28 shall confirm the toxic air contaminant emission rates or the project owner shall submit an updated health risk assessment.	Health Risk Assessment	Within 60 days of the source testing date	8/23/2012		Not Started	Due September 24, 2012
41	AQ	AQ-22	OPS	Compliance with AQ-12 through AQ-15, AQ-17(a) through AQ-17(e), AQ-18 (NOx, and CO limits), AQ-19(a), AQ- 19(b), AQ-20(a) and AQ-20(b) shall be demonstrated by using properly operated and maintained continuous monitors (during all hours of operation including gas turbine startup, and shutdown periods). The project owner shall monitor for parameters (a) through (k) of this condition [AQ-22].	Make the site available for inspection by representatives of the District, ARB and the Commission to verify the continuous monitoring and recordkeeping system is properly installed and operational.	--	Throughout Operation	On-going		Not Started	
42	AQ	AQ-23	OPS	To demonstrate compliance with AQ-17(f), AQ-17(g), AQ-19(c), AQ-19(d), AQ-20(c), AQ-20(d), AQ-20(e), calculate and record on a daily basis, the mass emissions from each power train as listed in this condition [AQ-23]. Use the criteria listed in this condition to calculate these emissions, and present the calculated emissions in format (a) and (b) of this condition.	Make the site available for inspection by representatives of the District, ARB and the Commission to verify the calculation and recordkeeping system is properly installed and operational.	--	Throughout Operation	On-going		Not Started	
43	AQ	AQ-24	OPS	To demonstrate compliance with AQ-21, calculate and record on an annual basis the maximum projected annual emissions of: Formaldehyde, Benzene, and Specified PAHs. Calculate the maximum projected annual emissions using the factors described in this condition [AQ-24]. Use of a reduced annual heat input rate to calculate the maximum projected annual emissions shall be subject to District review and approval.	Make the site available for inspection by representatives of the District, ARB and the Commission to verify the calculation and recordkeeping system is properly installed and operational.	--	Annual	On-going		Not Started	

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44	AQ	AQ-25a	COMM	Within 90 days of start-up of each of the MEP GE LM-6000 PC Sprint units, conduct a District-approved source test on exhaust point P-1, P-2, P-3, or P-4 to determine the corrected ammonia (NH3) emission concentration to determine compliance with AQ-17(e). (See Condition AQ-25 for purpose and method of test.) Ongoing compliance with AQ-17(e) shall be demonstrated through calculations of corrected ammonia concentrations based upon the source test correlation and continuous records of ammonia injection rate. Submit the source test results to the District and the CEC CPM within 60 days of conducting the tests.	The results and field data collected during source tests shall be submitted to the District and CPM within 60 days of testing and according to a preapproved protocol (AQ-27). Testing for steady-state emissions shall be conducted upon initial operation and at least once every 12 months.	Source Test Results & Field Data	Within 60 days of the source testing	8/23/2012		Not Started	
45	AQ	AQ-25b	OPS	On an annual basis, conduct a District-approved source test on exhaust point P-1, P-2, P-3, or P-4 to determine the corrected ammonia (NH3) emission concentration to determine compliance with AQ-17(e). (See Condition AQ-25 for purpose and method of test.) Ongoing compliance with AQ-17(e) shall be demonstrated through calculations of corrected ammonia concentrations based upon the source test correlation and continuous records of ammonia injection rate. Submit the source test results to the District and the CEC CPM within 60 days of conducting the tests.	The results and field data collected during source tests shall be submitted to the District and CPM within 60 days of testing and according to a preapproved protocol (AQ-27). Testing for steady-state emissions shall be conducted upon initial operation and at least once every 12 months.	Source Test Results & Field Data	Annual Testing/Results Submitted Within 60 days of the source testing	TBD		Not Started	
46	AQ	AQ-26a	COMM	Within 90 days of start-up of each of the MEP GE LM-6000 PC Sprint units, conduct a District-approved source test on exhaust points P-1, P-2, P-3 and P-4 while each Gas Turbine is operating at maximum load to determine compliance with AQ- 17(a), AQ-17(b), AQ-17(c), AQ-17(d), AQ-17(f), AQ-17(g) and to determine a total particulate matter including condensable particulate matter emission factor, and while each Gas Turbine is operating at minimum load to determine compliance with AQ-17(c), and AQ-17(d) and to verify the accuracy of the continuous emission monitors required in AQ-22. Test for (as a minimum) the elements listed in this condition [AQ-26]. Submit the source test results to the District and the CEC CPM within 60 days of conducting the tests. The project owner may conduct up to four tests per year for total particulate matter including condensable particulate matter.	The results and field data collected during source tests shall be submitted to the District and CPM within 60 days of testing and according to a pre-approved protocol (AQ-27). Testing for steady-state emissions shall be conducted upon initial operation and at least once every 12 months.	Source Test Results & Field Data	Within 60 days of the source testing	8/23/2012		Not Started	

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47	AQ	AQ-26b	OPS	On an annual basis, conduct a District-approved source test on exhaust points P-1, P-2, P-3 and P-4 while each Gas Turbine is operating at maximum load to determine compliance with AQ-17(a), AQ-17(b), AQ-17(c), AQ-17(d), AQ-17(f), AQ-17(g) and to determine a total particulate matter including condensable particulate matter emission factor, and while each Gas Turbine is operating at minimum load to determine compliance with AQ-17(c), and AQ-17(d) and to verify the accuracy of the continuous emission monitors required in AQ-22. Test for (as a minimum) the elements listed in this condition [AQ-26]. Submit the source test results to the District and the CEC CPM within 60 days of conducting the tests. The project owner may conduct up to four tests per year for total particulate matter including condensable particulate matter.	The results and field data collected during source tests shall be submitted to the District and CPM within 60 days of testing and according to a pre-approved protocol (AQ-27). Testing for steady-state emissions shall be conducted upon initial operation and at least once every 12 months.	Source Test Results & Field Data	Annual Testing/Results Submitted Within 60 days of the source testing	TBD		Not Started	
48	AQ	AQ-27a	OPS	Obtain approval for all source test procedures from the District's Source Test Section and the CEC CPM prior to conducting any tests. Comply with all applicable testing requirements for continuous emission monitors as specified in Volume V of the District's Manual of Procedures. Notify the District's Source Test Section and the CEC CPM in writing of the source test protocols and projected test dates at least 7 days prior to the testing date(s).	Submit the proposed source test plan or protocol for the source tests 7 days prior to the proposed source test date to both the District and CPM for approval. The project owner shall notify the District and CPM no later than seven days prior to the proposed source test date and time.	Proposed Source Test Plan/Protocol & Notification to District	At least 7 days prior to the source testing date(s)	TBD		Not Started	This is operations version of source test plan , Commissioning version covered under AQ-10b
49	AQ	AQ-27b	OPS	Measure the contribution of condensable PM (back half) to any measurement of the total particulate matter or PM10 emissions. However, the project Owner may propose alternative measuring techniques to measure condensable PM such as the use of a dilution tunnel or other appropriate method used to capture semivolatile organic compounds. Submit the source test results to the District and the CEC CPM within 60 days of conducting the tests.	Submit the source test results to the District and the CEC CPM within 60 days of conducting the tests.	Source Test Results	Within 60 days of the source testing	TBD		Not Started	This is operations version of source test plan , Commissioning version covered under AQ-10b
50	AQ	AQ-28a	COMM	Within 90 days of start-up of each of the MEP GE LM-6000 PC Sprint gas turbines, conduct a District-approved source test on one of the following exhaust points P-1, P-2, P-3 or P-4 while the Gas Turbine is operating at maximum allowable operating rates to demonstrate compliance with AQ-21. Also test the gas turbine while it is operating at minimum load. If three consecutive biennial source tests demonstrate that the annual emission rates calculated pursuant to AQ-24 for any of the compounds listed in this condition [AQ-28] are less than the BAAQMD trigger levels, pursuant to Regulation 2, Rule 5, shown, then the project owner may discontinue future testing for that pollutant.	The results and field data collected during source tests shall be submitted to the District and CPM within 60 days of testing and according to a preapproved protocol (AQ-27). Testing for toxic air contaminant emissions shall be conducted upon initial operation.	Source Test Results & Field Data	Within 60 days of the source testing	9/24/2012		Not Started	

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51	AQ	AQ-28b	OPS	On a biennial basis (once every two years), conduct a District-approved source test on one of the following exhaust points P-1, P-2, P-3 or P-4 while the Gas Turbine is operating at maximum allowable operating rates to demonstrate compliance with AQ-21. Also test the gas turbine while it is operating at minimum load. If three consecutive biennial source tests demonstrate that the annual emission rates calculated pursuant to AQ-24 for any of the compounds listed in this condition [AQ-28] are less than the BAAQMD trigger levels, pursuant to Regulation 2, Rule 5, shown, then the project owner may discontinue future testing for that pollutant.	The results and field data collected during source tests shall be submitted to the District and CPM within 60 days of testing and according to a preapproved protocol (AQ-27). Testing for toxic air contaminant emissions shall be conducted at least once every 24 months.	Source Test Results & Field Data	Biennial Testing/Results Submitted Within 60 days of the source testing	TBD		Not Started	
52	AQ	AQ-29	OPS	Calculate the sulfuric acid mist (SAM) emission rate using the total heat input for the sources and the highest results of any source testing conducted pursuant to AQ-30. If this SAM mass emission limit of AQ-31 is exceeded, utilize air dispersion modeling to determine the impact (in micrograms/cubic meter) of the sulfuric acid mist emissions pursuant to Regulation 2, Rule 2, Section 306.	Make the site available for inspection by representatives of the District, ARB and the Commission to verify the calculation and recordkeeping system is properly installed and operational. The quarterly operation report (AQ-SC8) shall include a determination of the impact if triggered by this condition.	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	1/30/2013		Not Started	
53	AQ	AQ-30a	COMM	Within 90 days of start-up of each of the MEP GE LM-6000 PC Sprint gas turbines, conduct a District-approved source test on two of the four exhaust points P-1, P-2, P-3 and P-4 while each gas turbine is operating at maximum heat input rates to demonstrate compliance with the SAM emission rates specified in AQ-31. Test for (as a minimum) SO2, SO3, and H2SO4. Submit the source test results to the District and the CEC CPM within 60 days of conducting the tests.	The results and field data collected during source tests shall be submitted to the District and CPM within 60 days of testing and according to a preapproved protocol (AQ-27). Testing for steady-state emissions shall be conducted upon initial operation.	Source Test Results & Field Data	Within 60 days of the source testing	8/23/2012		Not Started	
54	AQ	AQ-30b	OPS	On an annual basis, conduct a District-approved source test on two of the four exhaust points P-1, P-2, P-3 and P-4 while each gas turbine is operating at maximum heat input rates to demonstrate compliance with the SAM emission rates specified in AQ-31. Test for (as a minimum) SO2, SO3, and H2SO4. Submit the source test results to the District and the CEC CPM within 60 days of conducting the tests.	The results and field data collected during source tests shall be submitted to the District and CPM within 60 days of testing and according to a preapproved protocol (AQ-27). Testing for steady-state emissions shall be conducted at least once every 12 months.	Source Test Results & Field Data	Annual Testing/Results Submitted Within 60 days of the source testing	TBD		Not Started	
55	AQ	AQ-31	OPS	Sulfuric acid emissions (SAM) from stacks P-1, P-2, P-3, P-4 combined shall not be allowed to exceed 7 tons in any consecutive 12 month period.	A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	On-going		Not Started	
56	AQ	AQ-32	COMM	The stack height of emission points P-1, P-2, P-3 and P-4 shall each be at least 79.5 feet above grade level at the stack base.	Make the site available for inspection by representatives of the District, ARB and the Commission.	--	Throughout Operation	On-going	NA	In-progress	

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57	AQ	AQ-33	OPS	Submit all reports to the District (including, but not limited to monthly CEM reports, monitor breakdown reports, emission excess reports, equipment breakdown reports, etc.) as required by District Rules or Regulations and in accordance with all procedures and time limits specified in the Rule, Regulation, Manual of Procedures, or Enforcement Division Policies & Procedures Manual.	Notifications and reports, including the quarterly operation report (AQ-SC8), shall be prepared and submitted in compliance with this condition.	District Reporting	Including, but not limited to monthly and no later than 30 days following the end of each calendar quarter	On-going		Not Started	
58	AQ	AQ-34	OPS	Maintain all records and reports on site for a minimum of 5 years. These records shall include but are not limited to the reports listed in this condition [AQ-34]. Make all records and reports available to District and the CEC CPM staff upon request.	Make the site available for inspection by representatives of the District, ARB and the Commission.	--	Throughout Operation	On-going	NA	Not Started	
59	AQ	AQ-35	OPS	Notify the District and the CEC CPM of any violations of these permit conditions. Notification shall be submitted in a timely manner in accordance with all applicable District Rules, Regulations, and the Manual of Procedures. Notwithstanding the notification and reporting requirements given in any District Rule, Regulation, or the Manual of Procedures, submit written notification (facsimile is acceptable) to the Enforcement Division within 96 hours of the violation of any permit condition.	A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8)	(If Needed)	Within 96 hours of violation of permit condition & No later than 30 days following the end of each calendar quarter	As-needed		As-needed	
60	AQ	AQ-36	OPS	Provide adequate stack sampling ports and platforms to enable the performance of source testing. The location and configuration of the stack sampling ports shall comply with the procedures listed in this condition [AQ-36], and shall be subject to BAAQMD review and approval, except that the facility shall provide four sampling ports that are at least 6 inches in diameter in the same plane of each gas turbine stack (P 1, P 2, P 3, P 4).	The project owner shall make the site available for inspection by representatives of the District, ARB and the Commission.	--	Throughout Operation	TBD	NA	In-progress	
61	AQ	AQ-37	CONS	Within 180 days of the issuance of the Authority to Construct for the MEP, contact the BAAQMD Technical Services Division regarding requirements for the continuous emission monitors, sampling ports, platforms, and source tests required by AQ-10, AQ-25, AQ-26, AQ-28 and AQ-30. Conduct all source testing and monitoring in accordance with the District approved procedures.	Contact the District for specifications on monitors, ports, platforms and source tests and submit verification of this contact to the District and CPM with the initial source test protocol (AQ-27).	see AQ-27a	Within 180 days of the ATC and at least 7 days prior to the source testing date(s)	11/10/2011		Completed 2/21/12	Emails between LG and BAAQMD will be included in Commissioning Plan submittal to CEC

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62	AQ	AQ-38	OPS	Comply with the requirement to hold SO2 allowances in 40 CFR 72.9(c)(1) and the continuous emission monitoring requirements of 40 CFR Part 75.	Submit to the CPM and District the results of audits of the monitoring system demonstrating compliance with this condition as part of the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	On-going		in progress	Application sent to EPA and BAAQMD was copied
63	AQ	AQ-39	OPS	Do not exceed 50 hours per year per engine for reliability-related testing.	A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	On-going		Not Started	
64	AQ	AQ-40	OPS	Each emergency standby engine shall be operated only for the following purposes: to mitigate emergency conditions, for emission testing to demonstrate compliance with a District, State or Federal emission limit, or for reliability-related activities (maintenance and other testing, but excluding emission testing). Operating while mitigating emergency conditions or while emission testing to show compliance with District, State or Federal emission limits is not limited.	A summary of significant operation and maintenance events and monitoring records required shall be included in the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	On-going		Not Started	
65	AQ	AQ-41	OPS	Each emergency standby engine shall be operated only when a non-resettable totalizing meter (with a minimum display capability of 9,999 hours) that measures the hours of operation for the engine is installed, operated, and properly maintained.	Make the site available for inspection by representatives of the District, ARB and the Commission. Include a photograph of each totalizing meter in the quarterly operation report (AQ-SC8).	Quarterly Operation Report	No later than 30 days following the end of each calendar quarter	On-going		Not Started	
66	AQ	AQ-42	OPS	Records: Maintain the monthly records (a) through (e) of this condition [AQ-42] in a District-approved log for at least 36 months from the date of entry (60 months if the facility has been issued a Title V Major Facility Review Permit or a Synthetic Minor Operating Permit). Log entries shall be retained on-site, either at a central location or at the engine's location, and made immediately available to the District staff upon request.	Make the site available for inspection by representatives of the District, ARB, and the Commission.	--	Throughout Operation	On-going	NA	Not Started	
67	AQ	AQ-43	OPS	If the emergency standby engine is located on school grounds or within 500 feet of any school grounds, the requirements described in this condition [AQ-43] shall apply.	Make the site available for inspection by representatives of the District, ARB, and the Commission.	--	Throughout Operation	On-going	NA	In-progress	
68	BIO	BIO-1a	PC	DESIGNATED BIOLOGIST SELECTION: A Designated Biologist shall be assigned to the project, and the resume of the proposed Designated Biologist, with at least 3 references and contact information, shall be submitted to the Energy Commission Compliance Project Manager (CPM) for approval, in consultation with CDFG and USFWS. The Designated Biologist must meet the minimum qualifications (1) through (4) in this condition [BIO-1].	The specified information shall be submitted at least 60 days prior to the start of any site (or related facilities) mobilization. No site or related facility activities, including pre-construction debris removal, shall commence until an approved Designated Biologist is available to be on site.	DB Resume	At least 60 days prior to the start of site mobilization	Complete	3/15/2011	Complete	

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69	BIO	BIO-1b	CONS	DESIGNATED BIOLOGIST SELECTION	If a Designated Biologist needs to be replaced, the specified information of the proposed replacement must be submitted to the CPM at least ten (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.	(If Needed)	At least 10 working days prior to the termination or release of the preceding Designated Biologist	As-needed	NA	As-needed	
70	BIO	BIO-2a	CONS	DESIGNATED BIOLOGIST DUTIES: The Designated Biologist shall perform the duties (1) through (9) during any site (or related facilities) pre-construction debris removal, mobilization, ground disturbance, grading, construction, operation, and closure activities. The Designated Biologist may be assisted by the approved Biological Monitor(s), but remains the contact for the project owner and CPM.	The Designated Biologist shall submit in the Monthly Construction Compliance Report to the CPM copies of all written reports and summaries that document biological resources activities.	MCR	Monthly	On-going	NA	In-progress	
71	BIO	BIO-2b	OPS	DESIGNATED BIOLOGIST DUTIES	If actions may affect biological resources during operation, a 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 determined to be unnecessary by the CPM.	ACR	Annually Throughout Operation	On-going	NA	Complete	Email from Craig Hoffman indicating that a DB is not needed during operations.
72	BIO	BIO-3a	PC	BIOLOGICAL MONITOR QUALIFICATIONS: The project owner's CPM-approved Designated Biologist shall submit the resume, including at least 3 references and contact information, of the proposed Biological Monitors to the CPM for approval, in consultation with CDFG and USFWS.	Submit the specified information to the CDFG and USFWS for review and comment and the CPM for approval no less than 30 days prior to the start of any site (or related facilities) mobilization. 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.	BM's Quals	At least 30 days prior to the start of site mobilization	Complete	4/29/2011	Complete	
73	BIO	BIO-3b	CONS	Enough biological monitors must be on site during pre-construction debris removal, before and during, water supply pipeline, natural gas pipeline, and transmission line construction and prior to fencing the power plant site to collectively meet the minimum qualifications (1) through (3) in this condition [BIO-3].	If additional biological monitors are needed during construction, the specified information shall be submitted to the CDFG and USFWS for review and comment and the CPM for approval no less than 14 days prior to their first day of monitoring activities.	(If Needed)	No less than 14 days prior to BM's first day of monitoring	As-needed	NA	As-needed	

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74	BIO	BIO-4	CONS	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 Conditions of Certification. If required by the Designated Biologist and Biological Monitor(s) any activities shall be halted in areas specified by the Designated Biologist. The Designated Biologist shall halt activities in accordance with steps (1) through (3) of this condition [BIO-4]. If the Designated Biologist is unavailable for direct consultation, the Biological Monitor shall act on behalf of the Designated Biologist.	The Designated Biologist or Biological Monitor shall 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 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 5 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.	(If Needed)	Immediately	As-needed	NA	As-needed	
75	BIO	BIO-5a	PC	WORKER ENVIRONMENTAL AWARENESS PROGRAM (WEAP): Develop and implement a CPM-approved WEAP as described in this condition [BIO-5]. The specific program can be administered by a competent individual(s) acceptable to the Designated Biologist.	No less than 30 days prior to the start of any site (or related facilities) mobilization, the project owner shall provide to the CPM the final WEAP 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.	Final WEAP	At least 30 days prior to the start of site mobilization	Complete	5/25/2011	Complete	
76	BIO	BIO-5b	CONS	WORKER ENVIRONMENTAL AWARENESS PROGRAM (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.	MCR	Monthly	On-going	NA	In-progress	
77	BIO	BIO-5c	CONS	WORKER ENVIRONMENTAL AWARENESS PROGRAM (WEAP)	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.	--	At least 6 months after the start of commercial operation	On-going	NA	In-progress	

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78	BIO	BIO-5d	OPS	WORKER ENVIRONMENTAL AWARENESS PROGRAM (WEAP)	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.	--	At least 6 months after the start of commercial operation	On-going	NA	Not Started	
79	BIO	BIO-6a	PC	BIOLOGICAL RESOURCES MITIGATION IMPLEMENTATION AND MONITORING PLAN (BRMIMP): Develop a BRMIMP and submit two copies of the proposed BRMIMP to the CDFG and USFWS for review and comment and the CPM for approval and implement the measures identified in the approved BRMIMP. The BRMIMP shall be prepared in consultation with the Designated Biologist and shall identify items (1) through (15) of this condition [BIO-6].	Provide the specified draft document at least 60 days prior to start of any site (or related facilities) mobilization. The CPM, in consultation with other appropriate agencies, will determine the BRMIMP's acceptability within 45 days of receipt.	Draft BRMIMP	At least 60 days prior to the start of site mobilization	Complete	6/3/2011	Complete	
80	BIO	BIO-6b	PC	BRMIMP	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 site and related facilities mobilization the revised BRMIMP shall be resubmitted to the CPM.	Revised BRMIMP	At least 10 days prior to the start of site mobilization	Complete	6/3/2011	Complete	
81	BIO	BIO-6c	CONS	BRMIMP	The project owner shall notify the CPM no less than 5 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 CPM in consultation with other appropriate agencies to ensure no conflicts exist.	(If Needed)	At least 5 working days before implementing modification to approved BRMIMP	As-needed	NA	As-needed	
82	BIO	BIO-6d	CONS	BRMIMP	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).	MCR	Monthly	On-going	NA	In-progress	

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83	BIO	BIO-6e	CONS	BRMIMP	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.	Construction Closure Report	Within 30 days after completion of project construction	9/13/2012		Not Started	
84	BIO	BIO-7a	PC	GENERAL IMPACT AVOIDANCE AND MINIMIZATION MEASURES: Measures (1) through (14) of this condition [BIO-7] shall be implemented to avoid and minimize impacts to biological resources from the proposed project during all phases of the project.	No less than 10 days prior to the start of any ground disturbing activities or construction equipment staging, provide the CPM a letter-report describing the findings of the pre-construction surveys, as specified in this condition [BIO-7]. All mitigation measures and their implementation methods shall be included in the BRMIMP.	Letter Report	At least 10 days prior to ground disturbing activities	9/29/2011	9/29/2011	Complete	Phase 1 survey submitted 6/1/11. Additional Surveys for Ph 1.5 submitted 7/6/11, Ph 1.75 on 7/11, Ph 2 on 7/21/11. Phase 2 fencing report issued to CEC on 8/3/11. Ph 2.5 survey completed on 9/29 for gas line.
85	BIO	BIO-7b	CONS	GENERAL IMPACT AVOIDANCE AND MINIMIZATION MEASURES	Implementation of the measures will be reported in the Monthly Compliance Reports by the Designated Biologist.	MCR	Monthly	On-going	NA	In-progress	
86	BIO	BIO-7c	CONS	GENERAL IMPACT AVOIDANCE AND MINIMIZATION MEASURES	Within 30 days after completion of 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.	Construction Closure Report	Within 30 days after completion of project construction	9/13/2012		Not Started	
87	BIO	BIO-7d	OPS	GENERAL IMPACT AVOIDANCE AND MINIMIZATION MEASURES	The general impact avoidance and minimization measures shall be implemented to avoid impacts to biological resources from the proposed project during site mobilization, preconstruction debris removal, ground disturbance, grading, construction, operation, maintenance, and closure.	----	----	On-going	NA	in progress	

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88	BIO	BIO-8a	PC	PRE-CONSTRUCTION NEST SURVEYS AND IMPACT AVOIDANCE AND MINIMIZATION MEASURES: Pre-construction nest surveys shall be conducted if construction activities will occur from February 1 through August 31. The Designated Biologist or Biological Monitor shall perform surveys in accordance with the guidelines (1) through (4) of this condition [BIO-8].	No less than 2 days prior to the start of any ground disturbing activities or construction equipment staging, 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.	Letter Report	At least 2 days prior to the start of ground disturbing activities	Complete	6/2/2011	Complete	
89	BIO	BIO-8b	PC	PRE-CONSTRUCTION NEST SURVEYS AND IMPACT AVOIDANCE AND MINIMIZATION MEASURES	If active nests are detected during the survey, a monitoring plan shall be submitted to the CDFG and USFWS Migratory Bird Office for review and comment and the CPM for approval. Approval of the plan is required before construction may commence.	Monitoring Plan	Prior to construction	Complete	6/2/2011	Complete	
90	BIO	BIO-8c	CONS	PRE-CONSTRUCTION NEST SURVEYS AND IMPACT AVOIDANCE AND MINIMIZATION MEASURES	If active nests are detected during the survey, a weekly monitoring report shall be submitted to the CPM.	Weekly monitoring reports	Weekly during nesting season	On-going	NA	In-progress	Weekly reports submitted by Todd beginning on 6/21/11. Last report for this nesting season issued on 8/18/11
91	BIO	BIO-9a	CONS	SPECIAL-STATUS INVERTEBRATE IMPACT AVOIDANCE AND MINIMIZATION MEASURES: Implement the measures described in this condition [BIO-9] to avoid or minimize impacts to listed fairy shrimp or tadpole shrimp species and habitat.	No less than 10 days prior to ground disturbance, provide a report detailing the locations of buffer zone fencing, and that includes both a figure and photographs showing the location of the fencing.	Buffer Zone Fencing Report	At least 10 days prior to ground disturbing activities	9/29/11	9/29/2011	Complete	Phase 1 survey submitted 6/1/11. Additional Surveys for Ph 1.5 submitted 7/6/11, Ph 1.75 on 7/11, Ph 2 on 7/21/11. Phase 2 fencing report issued to CEC on 8/3/11. Ph 2.5 survey completed on 9/29 for gas line.
92	BIO	BIO-9b	CONS	SPECIAL-STATUS INVERTEBRATE IMPACT AVOIDANCE AND MINIMIZATION MEASURES	Report monthly to the CPM, CDFG, and USFWS for the duration of construction on the implementation of listed branchiopod habitat avoidance and minimization measures.	MCR	Monthly	On-going	NA	In-progress	
93	BIO	BIO-9c	CONS	SPECIAL-STATUS INVERTEBRATE IMPACT AVOIDANCE AND MINIMIZATION MEASURES	Within 30 days after completion of construction, provide to the CDFG, USFWS, and CPM a written construction termination report identifying how impact minimization measures have been completed.	Construction Closure Report	Within 30 days after completion of project construction	9/13/2012		Not Started	

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94	BIO	BIO-10a	PC	CALIFORNIA TIGER SALAMANDER (CTS) AND CALIFORNIA RED-LEGGED FROG (CRLF) IMPACT AVOIDANCE AND MINIMIZATION MEASURES AND MANAGEMENT PLAN: The project owner, in consultation with the Designated Biologist, shall prepare and implement a Management Plan, that presents measures to manage the construction site, and related facilities, in a manner to avoid and minimize impacts to CRLF and CTS. The measures should be developed in coordination with the CDFG and USFWS, shall be approved by the CPM (in consultation with the USFWS and CDFG), and shall include, at a minimum, criteria (1) through (2) of this condition [BIO-10].	No less than 30 days prior to the start of any project-related ground disturbance, provide a final Management Plan to the CPM, CDFG, and USFWS. The final, approved Management Plan shall be incorporated into the BRMIMP within 10 days of completion of the plan, and implemented.	Final CRLF & CTS Management Plan	At least 30 days prior to the start of ground disturbance	Complete	6/1/2011	Complete	
95	BIO	BIO-10b	PC	CTS AND CRLF IMPACT AVOIDANCE AND MINIMIZATION MEASURES AND MANAGEMENT PLAN	No less than 10 days prior to the start of any ground disturbing activities or construction equipment staging, provide the CPM a letter-report describing the findings of the pre-construction surveys and containing the information described in this condition.	Letter Report	At least 10 days prior to ground disturbing activities	Complete		Complete	Phase 1 survey submitted 6/1/11. Additional Surveys for Ph 1.5 submitted 7/6/11, Ph 1.75 on 7/11, Ph 2 on 7/21/11. Phase 2 fencing report issued to CEC on 8/3/11. Ph 2.5 survey completed on 9/29 for gas line.
96	BIO	BIO-10c	CONS	CTS AND CRLF IMPACT AVOIDANCE AND MINIMIZATION MEASURES AND MANAGEMENT PLAN	Report monthly to the CPM, CDFG and USFWS for the duration of construction on the implementation of CTS and CRLF avoidance and minimization measures.	MCR	Monthly	On-going	NA	In-progress	
97	BIO	BIO-10d	CONS	CTS AND CRLF IMPACT AVOIDANCE AND MINIMIZATION MEASURES AND MANAGEMENT PLAN	Within 30 days after completion of construction, provide to the CDFG and CPM a written construction termination report identifying how mitigation measures described in the plan have been completed.	Construction Closure Report	Within 30 days after completion of project construction	9/13/2012		Not Started	
98	BIO	BIO-10e	CONS	CTS AND CRLF IMPACT AVOIDANCE AND MINIMIZATION MEASURES AND MANAGEMENT PLAN	Within 60 days of completion of the permanent power plant site fence, submit a figure and photographs to the CPM, CDFG, and USFWS of the CTS and CRLF barrier fence.	Figure / Photographs of barrier fence	Within 60 days of completion of the permanent power plant site fence	09/29/12		in progress	Barrier fencing in place at approximately 90% of site.
99	BIO	BIO-11a	PC	WESTERN POND TURTLE IMPACT AVOIDANCE AND MINIMIZATION MEASURES: Pre-construction surveys shall be conducted concurrent with CRLF and CTS pre-construction surveys. Western pond turtles shall be avoided to the extent possible. Avoidance areas shall be delineated by exclusionary fencing. If western pond turtles are found within project disturbance area that cannot be avoided, they shall be relocated to the CPM (in consultation with CDFG)-approved site.	Submit a report to the CPM and CDFG no less than 10 days prior to the start of any ground disturbing activities or construction equipment staging that describes when surveys were completed, observations, and proposed impact minimization measures.	Survey Report	At least 10 days prior to ground disturbing activities	9/29/2011	9/29/2011	Complete	Phase 1 survey submitted 6/1/11. Additional Surveys for Ph 1.5 submitted 7/6/11, Ph 1.75 on 7/11, Ph 2 on 7/21/11. Phase 2 fencing report issued to CEC on 8/3/11. Ph 2.5 survey completed on 9/29 for gas line.

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100	BIO	BIO-11b	CONS	WESTERN POND TURTLE IMPACT AVOIDANCE AND MINIMIZATION MEASURES	Within 30 days after completion of construction of the project linears, the project owner shall provide to the CDFG and CPM a written construction termination report identifying how impact minimization measures have been completed.	Construction Closure Report	Within 30 days after completion of project construction	9/13/2012		Not Started	
101	BIO	BIO-12a	PC	BURROWING OWL IMPACT AVOIDANCE AND MINIMIZATION MEASURES AND MANAGEMENT PLAN: Implement the measures in this condition [BIO-12] to manage the construction site, and related facilities, in a manner to avoid or minimize impacts to breeding and foraging burrowing owls. Measures include pre-construction surveys, avoidance measures, and a mitigation plan.	The Designated Biologist shall provide to the CPM and CDFG pre-construction survey results within 10 days of the completion of the survey.	Survey Report	Within 10 days of completion of the burrowing owl pre-construction survey.	9/29/2012	9/29/2012	Complete	Phase 1 survey submitted 6/1/11. Additional Surveys for Ph 1.5 submitted 7/6/11, Ph 1.75 on 7/11, Ph 2 on 7/21/11. Phase 2 fencing report issued to CEC on 8/3/11. Ph 2.5 survey completed on 9/29 for gas line.
102	BIO	BIO-12b	PC	BURROWING OWL IMPACT AVOIDANCE AND MINIMIZATION MEASURES AND MANAGEMENT PLAN	If pre-construction surveys detect burrowing owls within 500 feet of proposed construction activities, the Designated Biologist shall provide to the CPM and CDFG documentation indicating that non-disturbance buffer fencing has been installed no less than 10 days prior to the start of any project-related site disturbance activities. The documentation shall include both a figure and photographs showing the location of the fencing.	Non-disturbance buffer fencing installation documentation	At least 10 days prior to ground disturbing activities	8/3/2012	5/31/2011	Complete	Phase 2 fencing report issued to CEC on 8/3/11
103	BIO	BIO-12c	PC	BURROWING OWL IMPACT AVOIDANCE AND MINIMIZATION MEASURES AND MANAGEMENT PLAN	If pre-construction surveys detect burrowing owls or active burrowing owl burrows within the project disturbance area, a final Burrowing Owl Mitigation Plan shall be provided to the CPM and CDFG no less than 10 days prior to the start of construction. The measures described in the plan shall be incorporated into the BRMIMP no less than 10 days of completion of the plan, and implemented.	Final BUOW Mitigation Plan	At least 10 days prior to ground disturbing activities	Complete	5/31/2011	Complete	
104	BIO	BIO-12d	CONS	BURROWING OWL IMPACT AVOIDANCE AND MINIMIZATION MEASURES AND MANAGEMENT PLAN	The project owner shall report monthly to the CPM and CDFG for the duration of construction on the implementation of burrowing owl avoidance and minimization measures.	MCR	Monthly	On-going	NA	In-progress	
105	BIO	BIO-12e	CONS	BURROWING OWL IMPACT AVOIDANCE AND MINIMIZATION MEASURES AND MANAGEMENT PLAN: Implement the measures in this condition [BIO-12] to manage the construction site, and related facilities, in a manner to avoid or minimize impacts to breeding and foraging burrowing owls. Measures include pre-construction surveys, avoidance measures, and a mitigation plan.	Within 30 days after completion of construction, provide to the CDFG and CPM a written construction termination report identifying how mitigation measures, including those measures described in the mitigation plan, if a plan was required, have been completed.	Construction Closure Report	Within 30 days after completion of project construction	9/13/2012		Not Started	

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106	BIO	BIO-13a	PC	AMERICAN BADGER IMPACT AVOIDANCE AND MINIMIZATION MEASURES: Pre-construction surveys shall be conducted concurrent with the San Joaquin kit fox and burrowing owl pre-construction surveys. Surveys shall be conducted as described in this condition [BIO-13]. Den avoidance, monitoring, and destruction methods shall adhere to those prescribed for San Joaquin kit fox in Condition BIO-14.	Submit a report to the CPM and CDFG no less than 10 days prior to the start of any ground disturbing activities or construction equipment staging that describes when surveys were completed, observations, and proposed impact minimization measures.	Survey Report	At least 10 days prior to ground disturbing activities	9/29/2012	6/1/2011	Complete	Phase 1 survey submitted 6/1/11. Additional Surveys for Ph 1.5 submitted 7/6/11, Ph 1.75 on 7/11, Ph 2 on 7/21/11. Phase 2 fencing report issued to CEC on 8/3/11. Ph 2.5 survey completed on 9/29 for gas line.
107	BIO	BIO-13b	CONS	AMERICAN BADGER IMPACT AVOIDANCE AND MINIMIZATION MEASURES	Within 30 days after completion of construction of the project, provide to the CDFG and CPM a written construction termination report identifying how impact minimization measures have been completed.	Construction Closure Report	Within 30 days after completion of project construction	9/13/2012		Not Started	
108	BIO	BIO-14a	PC	SAN JOAQUIN KIT FOX IMPACT AVOIDANCE AND MINIMIZATION MEASURES AND MANAGEMENT PLAN: Prepare and implement a San Joaquin kit fox Management Plan that includes pre-construction surveys, exclusion zones, destruction of dens guidance, and other construction and operational requirement measures, as described in this condition [BIO-14]. The measures shall be developed in cooperation with USFWS and CDFG.	Submit to the CPM, CDFG, and USFWS the final San Joaquin Kit Fox Management Plan no less than 30 days prior to the start of ground disturbing activities or construction equipment staging. The mitigation measures in the final San Joaquin Kit Fox Management Plan shall be incorporated into the BRMIMP within 10 days of completion of the plan, and implemented.	Final San Joaquin Kit Fox Management Plan	At least 30 days prior to the start of ground disturbance	Complete	6/1/2011	Complete	
109	BIO	BIO-14b	PC	SAN JOAQUIN KIT FOX IMPACT AVOIDANCE AND MINIMIZATION MEASURES AND MANAGEMENT PLAN	The project owner shall submit the resume and qualifications of the proposed biologist(s) to the CDFG and USFWS for review and comment and the CPM for approval no less than 30 days prior to the start of preconstruction surveys	See BIO-1a	At least 30 days prior to the start of preconstruction surveys	Complete	4/29/2011	Complete	
110	BIO	BIO-14c	PC	SAN JOAQUIN KIT FOX IMPACT AVOIDANCE AND MINIMIZATION MEASURES AND MANAGEMENT PLAN	The project owner shall submit a report to the CPM and CDFG at least 10 days prior to the start of any ground disturbing activities or construction equipment staging that describes when surveys were completed, observations, and proposed minimization measures.	Survey Report	At least 10 days prior to ground disturbing activities	9/29/2012	6/1/2011	Complete	Phase 1 survey submitted 6/1/11. Additional Surveys for Ph 1.5 submitted 7/6/11, Ph 1.75 on 7/11, Ph 2 on 7/21/11. Phase 2 fencing report issued to CEC on 8/3/11. Ph 2.5 survey completed on 9/29 for gas line.
111	BIO	BIO-14d	CONS	SAN JOAQUIN KIT FOX IMPACT AVOIDANCE AND MINIMIZATION MEASURES AND MANAGEMENT PLAN	No less than 30 days after completion of construction of the project linears, the project owner shall provide to the USFWS, CDFG, and CPM a written construction termination report identifying how impact minimization measures in the plan have been completed.	Construction Closure Report	Within 30 days after completion of construction of project linears	9/13/2012		Not Started	Todd will prepare report with the rest of the closure reports, per conversation with Craig Hoffman in June.

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112	BIO	BIO-15a	PC	SWAINSON'S HAWK IMPACT AVOIDANCE AND MINIMIZATION MEASURES: If construction is proposed during the Swainson's hawk breeding season (March-August), a pre-construction nest survey shall be conducted within 30 days prior to the beginning of construction activities by a qualified biologist in order to identify active nests in the project site vicinity. Surveys shall be conducted as described in this condition [BIO-15].	Submit a report to the CPM and CDFG no less than 10 days prior to the start of any ground disturbing activities or construction equipment staging, that describes when Swainson's hawk surveys were completed, identification and qualifications of the biologist conducting the surveys, observations, and, if required, updates to the BRMIMP based upon findings.	Survey Report	At least 10 days prior to ground disturbing activities	9/29/2012	6/2/2011	Complete	Phase 1 survey submitted 6/1/11. Additional Surveys for Ph 1.5 submitted 7/6/11, Ph 1.75 on 7/11, Ph 2 on 7/21/11. Phase 2 fencing report issued to CEC on 8/3/11. Ph 2.5 survey completed on 9/29 for gas line.
113	BIO	BIO-15b	PC	SWAINSON'S HAWK IMPACT AVOIDANCE AND MINIMIZATION MEASURES: If active nests are found within 1/2 mile of the project disturbance area, an initial temporary nest disturbance buffer shall be established. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season (approximately March 1 and September 1), then a biologist experienced with raptor behavior shall be retained by the project owner to monitor the nest, and shall along with the	If project-related work is required within a Swainson's hawk nest buffer, the project owner shall submit the name and qualification of the proposed monitor to the CDFG for comment and the CPM for approval no less than 30 days prior to disturbance within the nest buffer. The designated biologist shall contact the CPM and CDFG within 2 days of a work stoppage due to disturbance to the nesting	Biologist Name/Quals	At least 30 days prior to disturbance within the nest buffer	Complete	4/29/2011	Complete	
114	BIO	BIO-15C	CONS	SWAINSON'S HAWK IMPACT AVOIDANCE AND MINIMIZATION MEASURES	No less than 30 days after completion of construction within the nest buffer, the project owner shall provide to the CDFG and CPM a written construction termination report identifying the results of monitoring during disturbance within the nest buffer.	Construction Closure Report	Within 30 days after completion of construction within the nest buffer	9/13/2012		Not Started	
115	BIO	BIO-16a	PC	COMPENSATORY MITIGATION FOR IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES AND WETLANDS: In order to mitigate for impacts to wetlands and habitat loss and potential take of listed species, provide compensatory mitigation at the ratios listed in Table 16 of this condition [BIO-16]. Provide Security as described in Section A of this condition, or purchase credits in an approved conservation bank, as described in Section B.	If the mitigation actions required under Section A or Section B of this condition are not completed prior to the start of ground-disturbing activities, provide the CPM with an approved Security in accordance with this condition, no less than 30 days prior to beginning project ground-disturbing activities.	Required Mitigation Actions or Approved Security	At least 30 days prior to the start of ground disturbing activities	Complete	5/23/2011	Complete	
116	BIO	BIO-16b	CONS	COMPENSATORY MITIGATION FOR IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES AND WETLANDS	If mitigation is under Section A: Agreements to delegate land acquisition to an approved third party shall be implemented within 6 months of the start of project ground-disturbing activities.	Third Party Agreements	Within 6 months of the start of ground disturbing activities	N/A	NA	N/A	MEP is providing Mitigation under Section B
117	BIO	BIO-16c	CONS	COMPENSATORY MITIGATION FOR IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES AND WETLANDS	If mitigation is under Section A: If the project owner elects to delegate land acquisition prior to project construction, the project owner shall provide to the CPM, CDFG, and USFWS a delegation proposal, as described in this condition, and shall obtain approval from the CPM, in consultation with CDFG and USFWS, prior to delegation or transfer of funds.	Delegation Proposal	Prior to delegation or transfer of funds for wetland and special-status species mitigation	N/A	NA	N/A	MEP is providing Mitigation under Section B

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118	BIO	BIO-16d	CONS	COMPENSATORY MITIGATION FOR IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES AND WETLANDS	If mitigation is under Section A: No less than 90 days prior to acquisition of the property, submit a formal acquisition proposal to the CPM, CDFG, USFWS, describing the parcels intended for purchase and obtain approval from the CPM, CDFG and USFWS, prior to the acquisition.	Formal Acquisition Proposal	At least 90 days prior to acquisition of wetlands and special-status species mitigation property	N/A	NA	N/A	MEP is providing Mitigation under Section B
119	BIO	BIO-16e	CONS	COMPENSATORY MITIGATION FOR IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES AND WETLANDS	If mitigation is under Section A: Provide written verification to the CPM, CDFG, and USFWS of the compensation lands acquisition and transfer within 18 months of the start of project ground-disturbing activities, or prior to commercial operation, whichever occurs first.	Verification of Compensation Lands Acquisition	Within 18 months of the start of project ground disturbing activities, or prior to commercial operation, whichever occurs first.	N/A	NA	N/A	MEP is providing Mitigation under Section B
120	BIO	BIO-16f	CONS	COMPENSATORY MITIGATION FOR IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES AND WETLANDS	If mitigation is under Section A: Provide the CPM, CDFG, and USFWS with a Compensation Lands Management Plan, for approval, within 180 days of the land or easement purchase, as determined by the date on the title. If additional long-term management fees are required, these fees shall be paid by the project owner no more than 90 days from approval of the Management Plan.	Compensation Lands Management Plan & Fees	Within 180 days of the wetlands and special-status species mitigation land or easement purchase	N/A	NA	N/A	MEP is providing Mitigation under Section B
121	BIO	BIO-16g	CONS	COMPENSATORY MITIGATION FOR IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES AND WETLANDS	If mitigation is under Section A or B: Within 90 days after completion of all project related ground disturbance, provide to the CPM, CDFG, and USFWS an analysis, based on aerial photography, with the final accounting of the amount of habitat disturbed during project construction. This shall be the basis for the final number of acres required to be acquired.	Final account of habitat disturbed during construction	Within 90 days after completion of all project related ground disturbance	10/29/2012		Not started	MEP is providing Mitigation under Section B, Todd Ellwood to participate in accounting of habitat disturbed.
122	BIO	BIO-16h	CONS	COMPENSATORY MITIGATION FOR IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES AND WETLANDS	If mitigation is under Section B: No less than 90 days prior to purchase of credits, submit to the CPM and CDFG for review and approval and the USFWS for review and comment the proposed conservation bank(s), species to be mitigated at the bank, and evidence that credits are available for purchase.	Proposed Conservation Bank, Species and available credits	At least 90 days prior to purchase of wetland and special-status species mitigation credits	9/2/2012		3/20/12: MEP requested verification language change pending mitigation bank Certification	MEP is providing Mitigation under this section
123	BIO	BIO-16i	CONS	COMPENSATORY MITIGATION FOR IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES AND WETLANDS	If mitigation is under Section B: Complete and provide written verification, as specified in this condition, to the CPM, CDFG, and USFWS of the credit purchase within 18 months of the start of project ground-disturbing activities, or prior to commercial operation, whichever occurs first.	Verification of Credit Purchase	Within 18 months of the start of project ground-disturbing activities, or prior to commercial operation, whichever occurs first	9/1/2012		Pending mitigation bank Certification	Revision to Verification Language approved on 5/21/12 allowing for purchase of credits until October 1, 2012

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124	BIO	BIO-17a	PC	WATERS AND WETLANDS IMPACT AVOIDANCE AND MINIMIZATION MEASURES: To avoid and minimize impacts to wetlands and waters, implement measures (1) through (11) of this condition [BIO-17].	No less than 10 days prior to ground disturbance, provide the CPM, CDFG, and USFWS with a report identifying the location of any protective fencing, including a figure and photographs that show the fencing.	Fencing Report & Figures	At least 10 days prior to ground disturbing activities	Complete	4/29/2011 and 9/29/11	Complete	Phase 1 survey submitted 6/1/11. Additional Surveys for Ph 1.5 submitted 7/6/11, Ph 1.75 on 7/11 and Ph 2 on 7/21/11. Gas line surveys still to be completed. Phase 2 fencing report issued to CEC on 8/3/11
125	BIO	BIO-17b	PC	WATERS AND WETLANDS IMPACT AVOIDANCE AND MINIMIZATION MEASURES	If bentonite will be used, an Emergency Spill Response Plan, "Frac out" Monitoring Plan, and a Biological Monitoring Plan shall be submitted to the CDFG for review and comment and to the CPM for approval no less than 30 days prior to the start of project ground-disturbing activities. Plan approval shall be required before construction using bentonite may commence.	If Bentonite - Emergency Spill Response Plan, "Frac out" Monitoring Plan, and a Biological Monitoring Plan	At least 30 days prior to the start of ground disturbance	Complete		Complete	Not Using Bentonite
126	BIO	BIO-17c	CONS	WATERS AND WETLANDS IMPACT AVOIDANCE AND MINIMIZATION MEASURES	Report monthly to the CPM, CDFG and USFWS for the duration of construction on the implementation avoidance and minimization measures.	MCR	Monthly	On-going	NA	In-progress	
127	BIO	BIO-17d	CONS	WATERS AND WETLANDS IMPACT AVOIDANCE AND MINIMIZATION MEASURES	Within 30 days after completion of construction the project owner shall provide to the USFWS, CDFG and CPM a written construction termination report identifying how mitigation measures have been completed.	Construction Closure Report	Within 30 days after completion of construction	9/13/2012		Not Started	
128	BIO	BIO-18	CONS	REVEGETATION AND RESTORATION: Revegetate all temporarily affected areas, as described in measures (1) through (4) of this condition [BIO-18].	Within 30 days after completion of restoration, provide to the USFWS, CDFG and CPM a written report identifying revegetation has been completed.	Revegetation Report	Within 30 days after completion of restoration	8/30/2012		In progress	Revised plan resubmitted on 11/15/11, approved on 12/1/11. Restoration by sub hired by MEP, report by Todd Ellwood
129	CUL	CUL-1a	PC	Obtain the services of an on-call Cultural Resources Specialist (CRS) and, if needed, Cultural Resources Monitors (CRMs) and other technical specialists. The CRS shall perform duties as described in this condition [CUL-1]. No ground disturbance shall occur prior to Compliance Project Manager (CPM) approval of the CRS and alternates, unless such activities are specifically approved by the CPM.	At least 45 days prior to the start of ground disturbance, submit the resume for the CRS, and alternate(s) if desired, to the CPM for review and approval. At least 10 days prior to the start of ground disturbance, 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.	CRS & Alternates Resume / Confirmation of onsite CRS	At least 45 days prior to the start of ground disturbance	Complete	4/19/2011	Complete	

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130	CUL	CUL-1b	CONS	Obtain the services of an on-call CRS and, if needed, CRMs and other technical specialists. The CRS shall perform duties as described in this condition [CUL-1]. No ground disturbance shall occur prior to CPM approval of the CRS and alternates, unless such activities are specifically approved by the CPM.	At least 10 days prior to a termination or release of the CRS, or within 10 days after the resignation of a CRS, submit the resume of the proposed new CRS to the CPM for review and approval. At the same time, also provide to the proposed new CRS the AFC and all materials described in this condition. If the CRS is terminated and there is no alternate CRS in place to conduct the duties of the CRS, a previously approved monitor may serve in place of a CRS so that project-related ground disturbance may continue up to a maximum of 3 days without a CRS. If cultural resources are discovered then ground disturbance will remain halted until there is a CRS or alternate CRS to make a recommendation regarding significance.	(If Needed)	At least 10 days prior to a termination or release of the CRS, or within 10 days after the resignation of a CRS	As-needed	NA	As-needed	
131	CUL	CUL-1c	PC	--	At least 20 days prior to ground disturbance, the CRS shall provide a letter naming anticipated CRMs for the project and stating that the identified CRMs meet the minimum qualifications for cultural resources monitoring required by this condition. At least 5 days prior to additional CRMs beginning on-site duties during the project, the CRS shall provide additional letters to the CPM identifying the CRMs and attesting to their qualifications.	Letter	At least 20 days prior to ground disturbance	Complete	5/16/2011	Complete	
132	CUL	CUL-1d	CONS	--	At least 10 days prior to any technical specialists beginning tasks, the resume(s) of the specialists shall be provided to the CPM for review and approval.	As needed technical specialists Quals	At least 10 days prior to any technical specialists beginning tasks	As-needed	NA	As-needed	
133	CUL	CUL-2a	PC	Prior to the start of ground disturbance, the start of each phase, and weekly, provide the CRS with the materials described in this condition [CUL-2]. No ground disturbance shall occur prior to CPM approval of maps and drawings, unless such activities are specifically approved by the CPM.	At least 40 days prior to the start of ground disturbance, 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. At least 15 days prior to the start of ground disturbance (of each phase of a phased project), if there are changes to any project-related footprint, provide revised maps and drawings for the changes to the CRS and CPM.	Maps and drawings	At least 40 days prior to the start of ground disturbance	Complete	5/4/2011	Complete	

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134	CUL	CUL-2b	CONS	Prior to the start of ground disturbance, the start of each phase, and weekly, provide the CRS with the materials described in this condition [CUL-2]. No ground disturbance shall occur prior to CPM approval of maps and drawings, unless such activities are specifically approved by the CPM.	Weekly during ground disturbance, a current schedule of anticipated project activity shall be provided to the CRS and CPM by letter, e-mail, or fax. Within 5 days of changing the scheduling of phases of a phased project, provide written notice of the changes to the CRS and CPM.	Current schedule	Weekly during ground disturbance	On-going	NA	In-progress	
135	CUL	CUL-3a	PC	Submit the Cultural Resources Monitoring and Mitigation Plan (CRMMP), as prepared by or under the direction of the CRS and as described in this condition [CUL-3], to the CPM for review and approval. Implementation of the CRMMP shall be the responsibility of the CRS and the project owner. No ground disturbance shall occur prior to CPM approval of the CRMMP, unless such activities are specifically approved by the CPM.	Upon approval of the CRS proposed by the project owner, the CPM will provide to the CRS an electronic copy of the draft model CRMMP. At least 30 days prior to the start of ground disturbance, submit the CRMMP to the CPM for review and approval.	Draft CRMMP	At least 30 days prior to the start of ground disturbance	Complete	5/31/2011	Complete	Revised CRMMP submitted 6/21/11
136	CUL	CUL-3b	PC	--	At least 30 days prior to the start of ground disturbance, a letter shall be provided to the CPM indicating that the project owner agrees to pay curation fees for any materials collected as a result of the archaeological investigations (survey, monitoring, testing, data recovery).	Letter confirming agreement to pay curation fees	At least 30 days prior to the start of ground disturbance	Complete	3/29/2011	Complete	
137	CUL	CUL-3c	CONS	Copies of the CRMMP shall reside with the CRS, alternate CRS, each CRM, and the project owner's on-site construction manager.	CRMMP	--	Throughout Construction	On-going		In-progress	
138	CUL	CUL-4a	CONS	Submit the final Cultural Resources Report (CRR) to the CPM for approval, if preparation of a CRR becomes necessary. The final CRR shall be prepared as described in this condition [CUL-4].	Within 90 days after completion of ground disturbance (including landscaping), submit the final CRR to the CPM for review and approval. If any reports have previously been sent to the CHRIS, then receipt letters from the CHRIS or other verification of receipt shall be included in an appendix.	Final CRR	Within 90 days after completion of ground disturbance	10/29/12		Not Started	This is not required since there was no monitoring requirement for the project.
139	CUL	CUL-4b	CONS	--	Within 90 days after completion of ground disturbance, if cultural materials requiring curation were collected, the project owner shall provide to the CPM a copy of an agreement with, or other written commitment from, a curation facility that meets the standards stated in the California State Historical Resources Commission's Guidelines for the Curation of Archaeological 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.	Commitment from Curation Facility	Within 90 days after completion of ground disturbance, Only if materials were collected during grading	TBD		Not Started	

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140	CUL	CUL-4c	CONS	--	Within 10 days after CPM approval of the CRR, provide documentation to the CPM confirming that copies of the final CRR have been provided to the SHPO, the CHRIS, the curating institution, if archaeological materials were collected, and to the Tribal Chairpersons of any Native American groups requesting copies of project-related reports.	Confirmation that CRR has been provided to required agencies	Within 10 days after CPM approval of the CRR	TBD		Not Started	
141	CUL	CUL-4d	CONS	If the project owner requests a suspension of ground disturbance and/or construction activities, then a draft CRR that covers all cultural resources activities associated with the project shall be prepared by the CRS and submitted to the CPM for review and approval on the same day as the suspension/extension request. The draft CRR shall be retained at the project site in a secure facility until ground disturbance and/or construction resumes or the project is withdrawn. If the project is withdrawn, then a final CRR shall be submitted to the CPM for review and approval at the same time as the withdrawal request.	Within 30 days after requesting a suspension of construction activities, submit a draft CRR to the CPM for review and approval.	Draft CRR	Within 30 days after requesting a suspension of construction activities	TBD		Not Started	
142	CUL	CUL-5a	PC	Prior to and for the duration of ground disturbance, provide Worker Environmental Awareness Program (WEAP) training, as described in the condition [CUL-5] to all new workers within their first week of employment.	At least 30 days prior to the beginning of ground disturbance, the CRS shall provide the training program draft text and graphics and the informational brochure to the CPM for review and approval. At least 15 days prior to the beginning of ground disturbance, the CPM will provide to the project owner a WEAP Training Acknowledgment form for each WEAP-trained worker to sign.	Draft WEAP	At least 30 days prior to the beginning of ground disturbance	Complete	4/19/11 4/19/11	Complete	
143	CUL	CUL-5b	CONS	--	Monthly, until ground disturbance is completed, provide in the Monthly Compliance Report (MCR) the WEAP Training Acknowledgment forms of workers who have completed the training in the prior month and a running total of all persons who have completed training to date.	Signed WEAP Training Forms	Monthly	On-going	NA	In-progress	

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144	CUL	CUL-6a	PC	The CRS, alternate CRS, or CRMs shall monitor full time, as described in this condition [CUL-6], all ground disturbances in the area where a CRHR-eligible cultural resources discovery has been made. The CRMs shall keep a daily log of monitoring and other cultural resources activities, as specified in this condition. As described in this condition, archaeological monitoring of all earth-moving activities shall be implemented, if deemed necessary, in the areas specified in this condition, for as long as the CPM requires. The research design in the CRMMP shall govern the collection, treatment, retention/disposal, and curation of any archaeological materials encountered during archaeological monitoring. From the daily monitoring logs, the CRS shall compile a monthly monitoring summary report to be included in the MCR, as specified in this condition.	At least 30 days prior to the start of ground disturbance, the CPM will provide to the CRS an electronic copy of a form to be used as a daily monitoring log.	Daily Monitoring Log	30 Days Prior to Start of Ground Disturbance	Complete	4/19/2011	Complete	
145	CUL	CUL-6b	CONS	--	Monthly, while monitoring is on-going, include in each MCR a copy of the monthly summary report of cultural resources-related monitoring prepared by the CRS and attach any new DPR 523A forms completed for finds treated prescriptively, as specified in the CRMMP.	MCR	Monthly	On-going	NA	In-progress	
146	CUL	CUL-6c	CONS	In the event that the CRS believes that a current level of monitoring is not appropriate, a letter or e-mail detailing the justification for changing the level of monitoring shall be provided to the CPM for review and approval prior to any change in the level of monitoring.	At least 24 hours prior to implementing a proposed change in monitoring level, submit to the CPM, for review and approval, a letter or e-mail detailing the CRS's justification for changing the monitoring level.	(If Needed)	At least 24 hours prior to implementing a proposed change in monitoring level	As-needed	NA	As-needed	Clint indicated that this is not applicable since monitoring was never required as part of the lisence for this project.
147	CUL	CUL-6d	CONS	The CRS or alternate CRS shall report daily to the CPM on the status of the project's cultural resources-related activities, unless reducing or ending daily reporting is requested by the CRS and approved by the CPM.	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 of communication acceptable to the CPM.	Statement of non-discovery		Daily		Not Started	Clint indicated that this is not applicable since monitoring was never required as part of the lisence for this project.
148	CUL	CUL-6e	CONS	--	At least 24 hours prior to reducing or ending daily reporting, submit to the CPM, for review and approval, a letter or e-mail (or some other form of communication acceptable to the CPM) detailing the CRS's justification for reducing or ending daily reporting.	Written Justification	At least 24 hours prior to reducing or ending daily reporting	TBD		Not Started	Clint indicated that this is not applicable since monitoring was never required as part of the lisence for this project.

Item #	Technical Area	Cond. Number	Phase	Description	Verification/Action	Submittal	Submittal Date Required	Expected or Actual Submittal Date	Date of Approval	Status	Notes
149	CUL	CUL-6f	CONS	An effort shall be made, as specified in this condition, to obtain a Native American representative to monitor ground disturbance in areas where Native American artifacts may be discovered.	No later than 30 days following the discovery of any Native American cultural materials, submit to the CPM copies of the information transmittal letters sent to the Chairpersons 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.	(If Needed)	Within 30 days after discovery of Native American cultural materials	As-needed	NA	As-needed	
150	CUL	CUL-6g	CONS	--	Within 15 days of receiving them, submit to the CPM copies of any comments or information provided by Native Americans in response to the project owner's transmittals of information.	(If Needed)	Within 15 days of receiving comments or information provided by Native Americans	As-needed	NA	As-needed	
151	CUL	CUL-6h	CONS	The CRS, may informally discuss cultural resource activities with Energy Commission technical staff. Any interference with monitoring activities, removal of a monitor from duties assigned by the CRS, or direction to a monitor to relocate monitoring activities by anyone other than the CRS shall be considered non compliance. Upon becoming aware of any incidents of non-compliance, the CPM shall be notified within 24 hours. The CRS shall also recommend corrective action.	-	(If Needed)	Within 24 hours of non-compliance	As-needed	NA	As-needed	
152	CUL	CUL-6i	CONS	If an incident of non-compliance occurs, when the issue is resolved, the CRS shall write a report describing the issue, the resolution of the issue, and the effectiveness of the resolution measures. This report shall be provided in the next MCR for the review of the CPM.	-	(If Needed)	The next MCR after a non-compliance issue occurs	As-needed	NA	As-needed	
153	CUL	CUL-7a	PC	The CRS, alternate CRS, and CRMs shall have authority to halt project-related ground disturbance in the event of a cultural resource discovery. Employees are to halt work on their own in the vicinity of a potential cultural resource discovery and shall contact their supervisor and the CRS or CRM.	At least 30 days prior to the start of ground disturbance, provide the CPM and CRS with a letter confirming that the CRS, alternate CRS, and CRMs have the authority to halt project-related ground disturbance in the vicinity of a cultural resources 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.	Letter of confirmation	At least 30 days prior to the start of ground disturbance	Complete	3/29/2011	Complete	

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154	CUL	CUL-7b	CONS	In the event of a discovery, the halting or redirection of ground disturbance shall remain in effect until the CRS has visited the discovery, and measures (1) through (4) of this condition [CUL-7] have occurred.	Within 48 hours of the discovery of an archaeological or ethnographic resource, the project owner shall ensure that the CRS notifies all Native American groups that expressed a desire to be notified in the event of such a discovery.	(If Needed)	Within 48 hours of the discovery of an archaeological or ethnographic resource	As-needed	NA	As-needed	
155	CUL	CUL-7c	CONS	--	Unless the discovery can be treated prescriptively, as specified in the CRMMP, completed DPR 523 forms for resources newly discovered during ground disturbance 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.	(If Needed)	Within 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	As-Needed	NA	As-needed	
156	CUL	CUL-8a	CONS	If fill soils must be acquired from or disposed to a non-commercial borrow site without a less-than-five-year-old survey, the CRS shall survey the site(s) for cultural resources and record on DPR 523 forms any that are identified.	As soon as the project owner knows that a non-commercial borrow site and/or disposal site will be used, he/she shall notify the CRS and CPM and provide documentation of previous archaeological survey, if any, dating within the past five years, for CPM approval.	Notification to CRS & CPM/ Previous surveys	As soon as the project owner knows that a non-commercial borrow site and/or disposal site will be used	As-needed	NA	As-needed	
157	CUL	CUL-8b	CONS	When the survey is completed, the CRS shall convey the results and recommendations for further action to the project owner and the CPM, who will determine what, if any, further action is required. If the CPM determines that significant archaeological resources that cannot be avoided are present at the borrow site, other conditions shall apply. The CRS shall report on the methods and results of these surveys in the final CRR	In the absence of documentation of recent archaeological survey, at least 30 days prior to any soil borrow or disposal activities on the non-commercial borrow and/or disposal sites, the CRS shall survey the site/s for archaeological resources. The CRS shall notify the project owner and the CPM of the results of the cultural resources survey, with recommendations, if any, for further action.	Notification of survey results & recommendations	At least 30 days prior to any soil borrow or disposal activities on the non-commercial borrow and/or disposal sites	As-needed	NA	As-needed	
158	HAZ	HAZ-1	OPS	Any hazardous materials not listed in Appendix B shall not be used, or in greater quantities or strengths than those identified by chemical name in Appendix B, unless approved in advance by the CPM.	Provide to the CPM, in the Annual Compliance Report, a list of hazardous materials contained at the facility.	ACR	Annually	On-going		Not Started	
159	HAZ	HAZ-2b	CONS	Copies of the final Business Plan, SPCC Plan, and RMP shall be provided to the ACDEH and the Alameda County Fire Department (ACFD) for information and to the CPM for approval.		Final HMBP, SPCC and RMP	At least 30 days prior to receiving any hazardous material / aqueous ammonia on the site	3/29/2012		Submitted to CEC and Alameda County DEH on 3/29/12 for review	Received review comments on site visit from ACDEH on 5/18/12.
160	HAZ	HAZ-3	CONS	Develop and implement a Safety Management Plan, as outlined in this condition [HAZ-3] for delivery of aqueous ammonia and other liquid hazardous materials by tanker truck.	At least 30 days prior to the delivery of any liquid hazardous material to the facility, provide a Safety Management Plan as described in this condition to the CPM for review and approval.	Safety Management Plan	At least 30 days prior to the delivery of any liquid hazardous material to the facility	2/23/2012		submitted to CEC on 2/23/12	

Item #	Technical Area	Cond. Number	Phase	Description	Verification/Action	Submittal	Submittal Date Required	Expected or Actual Submittal Date	Date of Approval	Status	Notes
161	HAZ	HAZ-4	CONS	The aqueous ammonia storage facility shall be designed to either the ASME Pressure Vessel Code and ANSI K61.6 or to API 620, as described in this condition [HAZ-4].	At least 60 days prior to delivery of aqueous ammonia to the facility, submit final design drawings and specifications for the ammonia storage tank and secondary containment basin to the CPM for review and approval.	Final design drawings/specs of ammonia storage tank & secondary containment	At least 60 days prior to delivery of aqueous ammonia to the facility	12/7/2011	1/9/2012	approved	Package resubmitted under HAZ-4 on 11/25/11 for CBO approval. Approved by the CBO on 12/6/11. Package submitted to CEC for approval on 12/7/11.
162	HAZ	HAZ-5	CONS	All vendors delivering aqueous ammonia to the site shall use only tanker truck transport vehicles which meet or exceed the specifications of DOT Code MC-307.	At least 30 days prior to receipt of aqueous ammonia on site, submit copies of the notification letter to supply vendors indicating the transport vehicle specifications to the CPM for review and approval.	Notification letters re: transport vehicle specs	At least 30 days prior to receipt of aqueous ammonia on site	2/15/2012		submitted 2/15/12 to CEC	CEC will formally approve when CUPA letter is received
163	HAZ	HAZ-6	PC	Prior to commencing construction, a site-specific Construction Site Security Plan for the construction phase shall be prepared and made available to the CPM for review and approval. The Construction Security Plan shall include items (1) through (3) of this condition [HAZ-6].	At least 30 days prior to commencing construction, notify the CPM that a site-specific Construction Security Plan is available for review and approval.	Notification of Security Plan Availability	At least 30 calendar days prior to start of construction	Complete	5/16/2011	Complete	
164	HAZ	HAZ-7a	CONS	Prepare a site-specific security plan, as described in this condition [HAZ-7], for the commissioning and operational phases that will be available to the CPM for review and approval. The level of security to be implemented shall not be less than that described in (1) through (6) of this condition (as per NERC 2002). Fully implement the security plans and obtain CPM approval of any substantive modifications to those security plans.	At least 30 days prior to the initial receipt of hazardous materials on site, notify the CPM that a site-specific operations site security plan is available for review and approval.	Notification of Site Specific Operations Security Plan Availability	At least 30 days prior to the initial receipt of hazardous materials on site	3/16/2012	3/19/2012	Complete	CEC notified on 3/15-plan available on site for review
165	HAZ	HAZ-7b	OPS	Revise the existing or prepare a new site-specific security plan, as described in this condition [HAZ-7], for the commissioning and operational phases that will be available to the CPM for review and approval. The level of security to be implemented shall not be less than that described in (1) through (6) of this condition (as per NERC 2002). Fully implement the security plans and obtain CPM approval of any substantive modifications to those security plans.	In the annual compliance report, 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, 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	On-going		Not Started	

Item #	Technical Area	Cond. Number	Phase	Description	Verification/Action	Submittal	Submittal Date Required	Expected or Actual Submittal Date	Date of Approval	Status	Notes
166	HAZ	HAZ-8a	CONS	The project owner shall not allow any fuel gas pipe cleaning activities on site, either before placing the pipe into service or at any time during the lifetime of the facility, that involve "flammable gas blows" where natural (or flammable) gas is used to blow out debris from piping and then vented to atmosphere. Instead, an inherently safer method involving a non-flammable gas (e.g. air, nitrogen, steam) or mechanical pigging shall be used. Exceptions to any of these provisions will be made only if no other satisfactory method is available, and then only with the approval of the CPM.	At least 30 days before any fuel gas pipe cleaning activities involving fuel gas pipe of four-inch or greater external diameter, submit a copy of the Fuel Gas Pipe Cleaning Work Plan which shall indicate the method of cleaning to be used, what gas will be used, the source of pressurization, and whether a mechanical PIG will be used, to the CBO for information and to the CPM for review and approval.	Fuel Gas Pipe Cleaning Work Plan	At least 30 days before fuel gas pipe cleaning activities	2/21/12 LG Plan Submitted	1/24/12 PG&E plan approved	partially approved	PG&E plans submitted and approved. LG plan submitted 2/21/12. CEC will approve when CUPA letter submitted
167	HAZ	HAZ-8b	OPS	The project owner shall not allow any fuel gas pipe cleaning activities on site, either before placing the pipe into service or at any time during the lifetime of the facility, that involve "flammable gas blows" where natural (or flammable) gas is used to blow out debris from piping and then vented to atmosphere. Instead, an inherently safer method involving a non-flammable gas (e.g. air, nitrogen, steam) or mechanical pigging shall be used. Exceptions to any of these provisions will be made only if no other satisfactory method is available, and then only with the approval of the CPM.	At least 30 days before any fuel gas pipe cleaning activities involving fuel gas pipe of four-inch or greater external diameter, submit a copy of the Fuel Gas Pipe Cleaning Work Plan which shall indicate the method of cleaning to be used, what gas will be used, the source of pressurization, and whether a mechanical PIG will be used, to the CBO for information and to the CPM for review and approval.	Fuel Gas Pipe Cleaning Work Plan	At least 30 days before fuel gas pipe cleaning activities	As-needed or as required by regulatory authority		Not Started	
168	LAND	LAND-1a	PC	The water supply pipeline on the Byron Bethany Irrigation District (BBID) property shall be constructed in compliance with BBID standards, including a minimum three foot cover. Construction shall be scheduled so as not to conflict with agricultural operations.	At least 30 calendar days prior to start of construction, submit to the CPM for review and approval, (1) documentation showing construction of the section of water supply pipeline on the BBID property will be carried out consistent with BBID's standards for pipeline construction and (2) a construction schedule that does not conflict with the agricultural use of the land.	Documentation re: Water Pipeline & construction schedule	At least 30 calendar days prior to start of construction	Complete	4/28/2011	Complete	
169	LAND	LAND-1b	CONS	Once construction of the water supply pipeline has been completed, the land shall be returned to pre-construction site conditions.	Once construction is completed, submit to the CPM documentation showing the area disturbed by construction activities has been returned to pre-construction conditions.	Documentation re: restored area	Once construction is completed	8/15/2012		Not Started	
170	LAND	LAND-2	CONS	Provide year-round water supply for grazing livestock on the remaining 146 acres of the subject property for the life of the project.	At least 30 calendar days prior to start of operation submit to the CPM evidence that a year-round water supply for livestock has been installed and water supply is maintained on a monthly basis for the life of the project.	Evidence of livestock water supply	At least 30 calendar days prior to start of Operation	5/16/2012	5/23/2012	approved	2 Hose bibbs installed, pending trough installation
171	LAND	LAND-3	OPS	Reseed the temporary construction laydown area on the project property with an improved seed mix over what site conditions currently provide.	Within 120 calendar days after commercial operation, submit to the CPM evidence that the construction laydown area has been re-seeded and a management plan that ensures the re-seeded area will be maintained and suitable for grazing for the life of the project.	Evidence of laydown area re-seeding / Management Plan	Within 120 calendar days after commercial operation	11/30/2012		In Progress	Revegetation plan drafted as part of VIS-2, submitted to CEC on 10/31/11, approved on 12/1/11.

Item #	Technical Area	Cond. Number	Phase	Description	Verification/Action	Submittal	Submittal Date Required	Expected or Actual Submittal Date	Date of Approval	Status	Notes
172	LAND	LAND-4	PC	Communication devices used by the project that operate over radio frequencies shall not conflict with frequencies used by Byron Airport and the surrounding airports; specifically frequencies 114 through 117, 123, 203, and 374 MHz shall be avoided.	At least 30 days prior to project construction, provide documentation to the Director of Airports with Contra Costa County for review and comment and to the CPM for review and approval, showing project communication devices will not conflict with the frequencies used by the Byron Airport and surrounding airports. Any comments received from the Director of Contra Costa County Airports shall be forwarded to the CPM without delay.	Documentation re: no conflicts with project communication devices / Airport director comments	At least 30 calendar days prior to start of construction	Complete	4/8/2011	Complete	
173	NOISE	NOISE-1	PC	PUBLIC NOTIFICATION PROCESS: Prior to the demolition of the existing structures at the project site, notify all residents and business owners within one mile of the project site boundaries and within ½-mile of the linear facilities, of the commencement of project construction. Establish a telephone number, as outlined in this condition [NOISE-1] for use by the public to report any undesirable noise conditions.	At least 15 days prior to the start of demolition, transmit to the CPM a statement, signed by the project owner's project manager, stating that the 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.	Statement of notification completion & establishment of telephone number	At least 15 days prior to the start of demolition	Complete	5/16/2011 5/23/11	Complete	
174	NOISE	NOISE-2a	CONS	NOISE COMPLAINT PROCESS: Throughout the demolition, construction and operation of the project, document, investigate, evaluate, and attempt to resolve all project-related noise complaints, as outlined in this condition [NOISE-2].	Within five days of receiving a noise complaint, file a Noise Complaint Resolution Form, with both the local jurisdiction and the CPM, that documents the resolution of the complaint. If mitigation is required to resolve a noise complaint, and the complaint is not resolved within a three-day period, submit an updated Noise Complaint Resolution Form when the mitigation is performed and complete.	Noise Complaint Resolution Form	Within five days of receiving a noise complaint	On-going	NA	In-progress	
175	NOISE	NOISE-2b	OPS	NOISE COMPLAINT PROCESS: Throughout the demolition, construction and operation of the project, document, investigate, evaluate, and attempt to resolve all project-related noise complaints, as outlined in this condition [NOISE-2].	Within five days of receiving a noise complaint, file a Noise Complaint Resolution Form, with both the local jurisdiction and the CPM, that documents the resolution of the complaint. If mitigation is required to resolve a noise complaint, and the complaint is not resolved within a three-day period, submit an updated Noise Complaint Resolution Form when the mitigation is performed and complete.	Noise Complaint Resolution Form	Within five days of receiving a noise complaint	On-going	NA	Not Started	
176	NOISE	NOISE-3	PC	EMPLOYEE NOISE CONTROL PROGRAM: Submit to the CPM for review and approval a noise control program to reduce employee exposure to high (above permissible) noise levels during construction in accordance to the applicable OSHA and Cal-OSHA standards.	At least 30 days prior to the start of demolition, submit the noise control program to the CPM. Make the program available to Cal-OSHA upon request.	Noise Control Program	At least 30 days prior to the start of demolition	Complete	4/21/2011	Complete	

Item #	Technical Area	Cond. Number	Phase	Description	Verification/Action	Submittal	Submittal Date Required	Expected or Actual Submittal Date	Date of Approval	Status	Notes
177	NOISE	NOISE-4a	CONS	NOISE RESTRICTIONS: The project design and implementation shall include appropriate noise mitigation measures as described in this condition [NOISE-4].	The 25-hour community noise survey shall take place within 30 days of the project first achieving a sustained output of 90% or greater of rated capacity.	--	Within 30 days of the project first achieving a sustained output of 90% or greater of rated capacity	8/8/2012		Not Started	Bo wants to do this during performance testing.
178	NOISE	NOISE-4b	CONS	NOISE RESTRICTIONS	Within 15 days after completing the survey, submit a summary report of the survey to the CPM. Included in the survey report will be the measures described in this condition. Included in the survey report will be a description of any additional mitigation measures necessary to achieve compliance with the above listed noise limit, and a schedule, subject to CPM approval, for implementing these measures.	Survey Summary Report	Within 15 days after completing the noise survey	8/18/2012		Not Started	
179	NOISE	NOISE-4c	CONS	NOISE RESTRICTIONS	When the measures are in place, repeat the noise survey. Within 15 days of completion of the new survey, submit to the CPM a summary report of the new noise survey, performed as described above and showing compliance with this condition.	(If Needed)	Within 15 days of completion of the new noise survey	As-needed	NA	Not Started	
180	NOISE	NOISE-5	CONS	OCCUPATIONAL NOISE SURVEY: Following the project's attainment of a sustained output of 90% or greater of its rated capacity, conduct an occupational noise survey to identify any noise hazardous areas in the facility. A report shall be prepared of the survey results and, if necessary, proposed mitigation measures to be employed in order to comply with the applicable California and federal regulations.	Within 30 days after completing the occupational noise survey, submit the noise survey report to the CPM. Make the report available to OSHA and Cal-OSHA upon request.	Occupational Noise Survey Report	Within 30 days after completing the occupational noise survey	8/25/2012		Not Started	
181	NOISE	NOISE-6	PC	CONSTRUCTION RESTRICTIONS: Heavy equipment operation and noisy construction work shall be restricted to the times delineated in this condition [NOISE-6], unless the CPM in consultation with Alameda County authorizes longer hours. Haul trucks and other engine-powered equipment shall be equipped with adequate mufflers. Haul trucks shall be operated in accordance with posted speed limits. Truck engine exhaust brake use shall be limited to emergencies.	Prior to demolition, a statement acknowledging that the restrictions in this condition will be observed throughout the construction of the project shall be transmit to the CPM.	Statement of acknowledgement	Prior to demolition	Complete	4/14/2011	Complete	
182	SOCIO	SOCIO-1	PC	Pay the one-time statutory school facility development fee as required by Education Code Section 17620.	At least 30 days prior to the start of project construction, provide to the CPM proof of payment of the statutory development fee. The payment shall be provided to the Mountain House Elementary School District (75%)/Tracy Unified School District (25%).	Payment / Proof of payment	At least 30 calendar days prior to start of construction	Complete	5/12/2011	Complete	

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183	S&W	SOIL & WATER-1a	PC	Comply with the requirements of the General National Pollutant Discharge Elimination System (NPDES) permit for discharges of storm water associated with MEP construction activity. In order to comply, develop and implement a Storm Water Pollution Prevention Plan (SWPPP) for the construction of the entire proposed project site, laydown areas, and linear areas.	At least 60 days before construction begins, submit a copy of the construction SWPPP to the Alameda County Flood Control and Water Conservation District and the Contra Costa County Grading Division for review.	Construction SWPPP	At least 60 days before construction begins	Complete	6/6/2011	Complete	Revised plan submitted 6/27/11
184	S&W	SOIL & WATER-1b	PC	SWPPP	At least 30 days before construction begins, submit copies to the CPM of all correspondence between the project owner and the Central Valley Regional Water Quality Control Board (RWQCB) regarding the General NPDES permit, including copies of the Notice of Intent and the Notice of Termination for project construction.	Copies of Correspondence	At least 30 calendar days prior to start of construction	Complete	6/1/2011	Complete	Revised plan submitted 6/27/11
185	S&W	SOIL & WATER-2a	PC	Prior to site mobilization, obtain CPM approval for a site-specific Drainage, Erosion, and Sedimentation Control Plan (DESCP) for both the construction and operation. The DESCP shall contain the elements outlined in this condition [SOIL&WATER-2].	No later than 90 days prior to start of site mobilization, submit a copy of the DESCP to Alameda County for review and comment.	Draft DESCP	At least 90 days prior to the start of site mobilization	Complete	3/8/2011	Complete	Revised plan submitted 6/27/11
186	S&W	SOIL & WATER-2b	PC	DESCP	A copy of the DESCP shall be submitted to the CPM no later than 60 days prior to the start of site mobilization for review and approval. The CPM shall consider comments received from Alameda County.	Draft DESCP w/ County Comments	At least 60 days prior to the start of site mobilization	Complete	6/6/2011	Complete	
187	S&W	SOIL & WATER-2c	CONS	DESCP	During construction, provide an analysis in the monthly compliance report on the effectiveness of the drainage-, erosion- and sediment-control measures and the results of monitoring and maintenance activities.	MCR	Monthly	On-going	NA	In-progress	
188	S&W	SOIL & WATER-2d	OPS	DESCP	Once operational, provide in the annual compliance report information on the results of stormwater BMP monitoring and maintenance activities.	ACR	Annually	On-going	NA	Not Started	
189	S&W	SOIL & WATER-3a	CONS	Comply with the requirements of the General NPDES permit for discharges of storm water associated with industrial activity. Develop and implement a SWPPP for the operation of the site. Ensure that only stormwater is discharged onto the site.	At least 30 days prior to commercial operation, submit the MEP operational SWPPP to the CPM.	Operation SWPPP	At least 30 days prior to commercial operation	7/3/2012		In progress	Approved NONA submitted to CEC on July 17, 2012.

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190	S&W	SOIL & WATER-3b	CONS	Comply with the requirements of the General NPDES permit for discharges of storm water associated with industrial activity. Develop and implement a SWPPP for the operation of the site. Ensure that only stormwater is discharged.	Within 10 days of mailing or receipt of the operational SWPPP, submit to the CPM any correspondence, as specified by this condition, between the project owner and the RWQCB about the general NPDES permit for discharge of storm water associated with industrial activity. This information shall include a copy of the notice of intent sent by the project owner to the State Water Resources Control Board. A letter from the RWQCB indicating that there is no requirement for a general NPDES permit for discharges of storm water associated with industrial activity would satisfy this condition.	Copies of Correspondence	Within 10 days of mailing or receipt	7/18/2012		Not Started	
191	S&W	SOIL & WATER-4a	CONS	Water used for project operation shall be raw surface water from BBID. Pumping or purchasing groundwater is prohibited. Water use shall not exceed the annual water-use limit of 187 acre-feet per year. The project owner shall monitor and record the total water used on a monthly basis, as outlined in this condition [SOIL & WATER-4]. A date shall be established for the annual compliance report (ACR) submittal, and the ACR shall include the elements described in this condition. The project owner shall work with BBID to implement a water conservation program, as outlined in this condition. The water conservation program(s) shall be provided to the CPM for review and approval. Contributions to a water conservation program are not required for use of recycled water during construction or operation.	At least 60 days prior to commercial operation, submit to the CPM evidence that metering devices have been installed and are operational on the water supply and distribution systems.	Evidence of metering device installation	At least 60 days prior to commercial operation	2/16/2012		submitted to CEC 2/16/12	Per Craig Hoffman on 3/19/12, BBID will send a letter to CEC accepting the improvements, then this item can be complete. Nothing more is needed from MEP.
192	S&W	SOIL & WATER-4b	OPS	--	When the metering devices are serviced, tested and calibrated, provide a report summarizing these activities in the next annual compliance report. The project owner, in the annual compliance report, shall provide a Water Use Summary that states the source and quantity of raw surface water used on a monthly basis and on an annual basis in units of acre-feet. Prior annual water use including yearly range and yearly average shall be reported in subsequent annual compliance reports (ACR).	ACR	Annually	On-going	NA	Not Started	

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193	S&W	SOIL & WATER-4c	PC	--	At least 30 days prior to construction, submit the water conservation program(s) by the selected local water agency(s) to the CPM for review and approval. The water conservation program shall include elements (a) through (d) of this condition [SOIL&WATER-4].	Water Conservation Program(s)	At least 30 calendar days prior to start of construction	Complete	6/6/2011	Complete	
194	S&W	SOIL & WATER-4d	CONS	--	Provide proof that the initial contribution to the water conservation program was paid to a CPM-approved water conservation program prior to site operations. Annual use payments shall be determined based upon the approved rate on per acre-foot of fresh water reported annually in the ACR.	Proof of initial contribution	Prior to Operation	2/23/2012		In Progress	Submitted photo documentation of completion of Water Conservation Progam project to CEC on 2/23/12. Site verification visit on 3/8/12. Per Craig Hoffman, once BBID submits a letter, the item will be complete
195	S&W	SOIL & WATER-4e	OPS	--	Annual use payments shall be determined based upon the approved rate on per acre-foot of fresh water reported annually in the ACR. Annual use payments to a water conservation program, confirmed by the CPM, shall be made no later than 60 days following CPM approval of the ACR.	Annual Use Payments	No later than 60 days following CPM approval of the ACR	N/A		Complete	Annual Use fees are not required because a lump sum amount was paid to BBID for the canal relining project for water conservation prior to operations
196	S&W	SOIL & WATER-4f	OPS	--	Provide data and a report to the CPM describing the water conservation program with estimates of the annual "calculated" water saved in acre-feet in the subsequent ACR. Payments for longer return period capital improvements should be accounted for using standard engineering economic analysis. Water use at MEP should also be tracked in an annual water use account. Once a long return period project is implemented and water conservation begins, water conservation should also be tracked on an annual basis. Conserved water from MEP funded projects should be deducted from the MEP water use account on an annual basis. Payment history, project funding, and MEP water use and conservation accounting shall be documented in the ACR.	ACR	Annually	On-going	NA	Not Started	
197	S&W	SOIL & WATER-5	OPS	Wastewater shall not be discharged, other than non-contact stormwater, and evidence shall be provided that industrial wastewater and contact stormwater are being disposed of at an appropriately licensed facility.	Provide evidence to the CPM of proper industrial wastewater disposal, via a licensed hauler to an appropriately licensed facility, in the annual compliance report.	ACR	Annually	On-going	NA	Not Started	

Item #	Technical Area	Cond. Number	Phase	Description	Verification/Action	Submittal	Submittal Date Required	Expected or Actual Submittal Date	Date of Approval	Status	Notes
198	TRANS	TRANS-1	CONS	Roadway Use Permits and Regulations: Comply with limitations imposed by Caltrans District 4 and other relevant jurisdictions, on vehicle sizes and weights, driver licensing, and truck routes. In addition, the project owner or its contractor shall obtain necessary transportation permits from Caltrans and all relevant jurisdictions for roadway use.	In the MCRs, report permits received during that reporting period. In addition, retain copies of permits and supporting documentation on-site for CPM inspection if requested.	MCR	Monthly	On-going	NA	In-progress	Copies on file at jobsite, permit numbers included in MCR.
199	TRANS	TRANS-2a	PC	Restoration of All Public Roads, Easements, and Rights-of-Ways: Restore all public roads, easements, and rights-of-ways that have been damaged due to project-related construction activities in a timely manner. Prior to the start of site mobilization, notify the relevant jurisdictions of the proposed schedule for project construction, request that these jurisdictions consider postponement of planned activities, and coordinate any concurrent construction-related activities that cannot be postponed.	Prior to the start of site mobilization, photograph or videotape all affected public roads, easements, right-of-way segment(s), and/or intersections and provide the CPM, the affected local jurisdiction(s), and Caltrans District 4 (if applicable) with a copy of these images.	Photo/Video of pre-project road conditions	Prior to the start of site mobilization	Complete	6/8/2011	Complete	
200	TRANS	TRANS-2b	CONS	Restoration of All Public Roads, Easements, and Rights-of-Ways	Within 60 calendar days of completion of construction, meet with the CPM, the affected local jurisdiction(s), and Caltrans District 4 (if applicable) to identify sections of public right-of-way to be repaired. At that time, establish a schedule for completion and approval of the repairs.	--	Within 60 calendar days of completion of construction	9/1/2012		Not Started	Debi to video tape road the day construction is complete . Then contact Cal-trans and Counties for on-site review meeting
201	TRANS	TRANS-2c	CONS	Restoration of All Public Roads, Easements, and Rights-of-Ways	Following completion of any public right-of-way repairs, provide to the CPM letters signed by the affected local jurisdiction(s) and Caltrans District 4 stating their satisfaction with the repairs.	Letters from Caltrans	Following completion of any public right-of-way repairs	10/31/2012		Not Started	
202	TRANS	TRANS-3a	PC	Traffic Control Plan, Heavy Hauling Plan, and Parking/Staging Plan: Prior to the start of construction, prepare a Traffic Control Plan (TCP) for the MEP's construction and operations traffic , as outlined in this condition [TRANS-2]. Submit the proposed TCP to the Caltrans District 4 office and to the affected local jurisdictions in sufficient time for review and comment, and to the CPM for review and approval prior to the proposed start of construction and implementation of the plan.	At least 60 calendar days prior to the start of construction, submit the TCP to the applicable agencies for review and comment and to the CPM for review and approval. Also provide the CPM with a copy of the transmittal letter to the agencies requesting review and comment.	TCP / Transmittal letters	At least 60 calendar days prior to the start of construction	Complete	6/8/2011	Complete	
203	TRANS	TRANS-3b	PC	Traffic Control Plan, Heavy Hauling Plan, and Parking/Staging Plan	At least 30 calendar days prior to the start of construction, provide copies of any comment letters received from the agencies, along with any changes to the proposed development plan, to the CPM for review and approval.	Final TCP / comments received	At least 30 calendar days prior to the start of construction	Complete	6/8/2011	Complete	

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204	TRANS	TRANS-4a	PC	Encroachment into Public Rights-of-Way: Prior to any ground disturbance, improvements, or obstruction of traffic, coordinate with all relevant jurisdictions to obtain all required encroachment permits and comply with all applicable regulations.	At least 10 days prior to ground disturbance or interruption of traffic in or along any public road, easement, or right-of-way, provide copies of all permit(s), relevant to the affected location(s), received from Caltrans or any other affected jurisdiction/s to the CPM.	Copies of Permits Received	At least 10 days prior to ground disturbance or interruption of traffic in or along any public road, easement, or right-of-way	Complete	6/1/2011	Complete	Alameda County Encroachment permits submitted 6/24/11. Contra Costa Permit submitted in first MCR.
205	TRANS	TRANS-4b	OPS	Encroachment into Public Rights-of-Way	Retain copies of the issued/approved permit(s) and supporting documentation in the compliance file for a minimum of 180 calendar days after the start of commercial operation.	--	At least 180 calendar days after the start of commercial operation	On-going	NA	in progress	Current permits in COC files.
206	TRANS	TRANS-5a	CONS	Transportation of Hazardous Materials: Obtain the necessary permits and/or licenses, comply with all applicable regulations, and implement the proper procedures for the transportation of hazardous materials. In addition, the owner shall ensure that hazardous materials deliveries occur outside of normal commute hours.	In the MCRs, the owner shall provide copies of all permits/licenses obtained for the transportation of hazardous substances.	MCR	Monthly	On-going	NA	In-progress	
207	TRANS	TRANS-6a	PC	Payment of Transportation Fees: Where applicable, pay traffic and transportation fees to Alameda County for development of the MEP. These fees may include but not be limited to the Tri-Valley transportation development fee and the cumulative traffic impact mitigation fee.	At least 30 days prior to the start of ground disturbance, submit plans for the proposed MEP to Alameda County, pay any necessary transportation-related fees, and provide documentation of exemption or payment to the CPM.	Plans, and proof of fee payment or exemption	At least 30 days prior to the start of ground disturbance	Complete	5/19/2011	Complete	
208	TRANS	TRANS-6b	OPS	Payment of Transportation Fees	Retain copies of documentation in the compliance file for a minimum of 180 calendar days after the start of commercial operation.	--	Keep on file at least 180 calendar days after the start of commercial operation	On-going	NA	In Progress	Copy of payment in file on site.
209	TRANS	TRANS-7a	PC	Obstruction Marking and Lighting: Install obstruction marking and lighting on the exhaust stacks, consistent with FAA requirements, as expressed in the documents listed in this condition [TRANS-7]. Permanent lighting shall be installed and activated as outlined in this condition.	At least 60 days prior to the start of construction, submit to the CPM for approval final design plans for the power plant exhaust stacks that depict the required air traffic obstruction marking and lighting.	Final exhaust stack lighting plans	At least 60 days prior to the start of construction	12/29/2011	1/17/2012	approved	
210	TRANS	TRANS-7b	CONS	Obstruction Marking and Lighting	Within 5 days of completion of exhaust stack construction and prior to the start of plant operation, install and activate permanent obstruction marking and lighting consistent with FAA requirements.	--	Within 5 days of completion of exhaust stack construction and prior to the start of plant operation	5/10/2012	5/10/2012	Complete	Lights on 800 and 900 installed and wired in early May. Lights on 600 and 700 operational in April.
211	TRANS	TRANS-7c	CONS	Obstruction Marking and Lighting	Inform the CPM in writing within 10 days of installation and activation of permanent obstruction marking and lighting. The lighting shall be inspected and approved by the CPM (or designated inspector) within 30 days of activation.	Notification to CPM	Within 10 days of installation and activation of permanent obstruction marking and lighting	5/10/2012	5/23/2012	approved	Also copied Keith Freitas of lights being on.

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212	TRANS	TRANS-8a	CONS	Pilot Notification and Awareness: Initiate the actions outlined in this condition [TRANS-8] to ensure pilots are aware of the project location and potential hazards to aviation.	Within 30 days following the start of construction, submit draft language for the letters of request to the FAA (including NORCAL TRACON) and Byron Airport to the CPM for review and approval.	Draft Letters of Request	Within 30 days following the start of construction-Coming up soon	7/29/2011		Complete	
213	TRANS	TRANS-8b	CONS	Pilot Notification and Awareness	At least 60 days prior to the start of operations, submit the required letters of request to the FAA and request that TRACON (NORCAL) submit aerodrome remarks to the listed agencies. Submit copies of these requests to the FAA and TRACON (NORCAL) to the CPM.	Letters of Request	At least 60 days prior to the start of operations	6/3/2012	9/13/2011	Complete	Received e-mail confirmation of FAA receipt of Data Change, Aeronautical Charge Change and Terminal Air Chart Change on 9/13/11. Airport Facility Directory (AFD changes accepted and published December 15, 2011.) Received confirmation that Aeronautical Chart Change for San Francisco Chart was processed on 3/19/12. Debi requested via email that Barry Yurtis provide Bo with copies of charts for files when they are issued.
214	TRANS	TRANS-8c	CONS	Pilot Notification and Awareness	A copy of any resulting correspondence shall be submitted to the CPM within 10 days of receipt.	Copies of Correspondence	Within 10 days of receipt	As-needed	NA	Complete	Copies of responses from FAA sent to CEC
215	TRANS	TRANS-8d	CONS	Pilot Notification and Awareness	If a response from any of the agencies is not received within 45 days of the request (or by 15 days prior to the start of operations), follow up with a letter to the respective agency/ies to confirm implementation of the request.	(If Needed)	Within 45 days of submitting the request (or by 15 days prior to the start of operations)	As-needed	NA	Complete	Responses received
216	TRANS	TRANS-8e	CONS	Pilot Notification and Awareness	Contact the CPM within 72 hours if notified that any or all of the requested notices cannot be implemented. Should this occur, the project owner shall appeal such a determination, consistent with any established appeal process and in consultation with the CPM. A final decision from the jurisdictional agency denying the request, as a result of the appeal process, shall release the project owner from any additional action related to that request and shall be deemed compliance with that portion of this condition.	(If Needed)	Within 72 hours of being notified that any or all of the requested notices cannot be implemented	As-needed	NA	Complete	All requests can be implemented
217	TLSN	TLSN-1	PC	Construct the proposed 230-kV transmission lines according to the requirements of California Public Utility Commission's GO-95, GO-52, GO-131-D, Title 8, and Group 2, High Voltage Electrical Safety Orders, sections 2700 through 2974 of the California Code of Regulations, and PG&E's EMF-reduction guidelines.	At least 30 days before starting the construction of the transmission line or related structures and facilities, 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 this condition.	Letter of Confirmation	At least 30 days before starting the upgrade of the transmission line or related structures and facilities	13-Jul-11	14-Jul-11	Complete	

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218	TLSN	TLSN-2a	OPS	Use a qualified individual to measure the strengths of the electric and magnetic fields from each line as outlined in this condition. These measurements shall be completed not later than six months after the start of operations.	These measurements shall be completed not later than six months after the start of operations.	--	Within 6 months after the start of operations	1/29/2013		Not Started	
219	TLSN	TLSN-2b	OPS	--	File copies of the post-energization measurements with the CPM within 60 days after completion of the measurements.	Post-energization Measurements	Within 60 days of the post-energization measurements	2/28/2013		Not Started	
220	TLSN	TLSN-3	OPS	The rights-of-way of the proposed transmission lines shall be kept free of combustible material as required under the provisions of section 4292 of the Public Resources Code and section 1250 of Title 14 of the California Code of Regulations.	During the first 5 years of plant operation, provide a summary of inspection results and any fire prevention activities carried out along the right-of-way of the line and provide such summaries in the Annual Compliance Report.	ACR	Annually	On-going	NA	Not Started	
221	TLSN	TLSN-4	CONS	Ensure that all permanent metallic objects within the rights-of-way of the project-related line is grounded according to industry standards.	At least 30 days before the line is energized, transmit to the CPM a letter confirming compliance with this condition.	Letter of Confirmation	At least 30 days before the lines are energized	2/16/2012	3/2/2012	Complete	Approved by CEC on 3/2/12.
222	VIS	VIS-1a	PC	Surface Treatment of Project Structures and Buildings: Color and finish the surfaces of all project structures and buildings visible to the public. Transmission line conductors and insulators shall be non-specular and non-reflective. A surface treatment plan shall be submitted to the CPM for approval that includes measures (A) through (E) of this condition.	At least 45 days prior to applying vendor color(s) and finish(es) for structures or buildings to be surface treated during manufacture, submit the proposed treatment plan to the CPM.	Proposed Surface Treatment Plan	At least 45 days prior to applying vendor color(s) and finish(es) for structures or buildings	Complete	5/9/2011	Complete	
223	VIS	VIS-1b	CONS	Surface Treatment of Project Structures and Buildings: The applicant shall not request vendor surface treatment of any buildings or structures during their manufacture, or perform final field treatment on any buildings or structures, until the applicant has received treatment plan approval by the CPM.	If the CPM determines that the plan requires revision, 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 approval.	(If Needed)	Prior to applying any treatment	As-needed	5/9/2011	Complete	Plan approved by CEC
224	VIS	VIS-1c	OPS	Surface Treatment of Project Structures and Buildings: The applicant shall notify the CPM that surface treatment of all listed structures and buildings has been completed and is ready for inspection; and shall submit one set of electronic color photographs from KOPs 1 and 3 showing the "as built" surface treated structures and buildings.	Within 90 days after the start of commercial operation, notify the CPM that surface treatment of all listed structures and buildings has been completed and is ready for inspection; and submit one set of electronic color photographs from KOPs 1 and 3 showing the "as built" surface treated structures and buildings.	Notification of surface treatment completion and photographs from KOPs 1 & 3	Within 90 days after the start of operations	10/31/2012		Not Started	

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225	VIS	VIS-1d	OPS	Surface Treatment of Project Structures and Buildings: The surface treatment plan shall include a procedure to ensure proper treatment maintenance for the life of the project.	Provide a status report regarding surface treatment maintenance in the Annual Compliance Report. The report shall specify a): the condition of the surfaces of all structures and buildings at the end of the reporting year; b) major maintenance activities that occurred during the reporting year; and c) the schedule of major maintenance activities for the next year.	ACR	Annually	On-going	NA	Not Started	
226	VIS	VIS-2	CONS	Surface Restoration: Remove all evidence of temporary construction activities, and restore the ground surface to the original condition or better including the replacement of any vegetation during construction where project development does not preclude it. Submit to the CPM for approval and implement a surface restoration plan.	At least 60 days prior to the start of commercial operation, submit the surface restoration plan to the CPM for approval.	Surface Restoration Plan	At least 60 days prior to the start of commercial operation	10/31/2011	11/17/2011	approved	VIS-2 plan resubmitted on November 15 and approved on 12/1/11.
227	VIS	VIS-2b	CONS	Surface Restoration	If the CPM notifies the applicant that revisions of the surface restoration plan are needed, within 30 days of receiving that notification submit to the CPM a plan with the specified revisions.	(If Needed)	Within 30 days of receiving notification	11/15/2011	12/1/2011	Complete	
228	VIS	VIS-2c	CONS	Surface Restoration	Complete surface restoration within 60 days after the start of commercial operation. Notify the CPM within seven days after completion of surface restoration that the restoration is ready for inspection.	Notification to CPM	Within 60 days after the start of commercial operation	October 1, 2012		Not started	
229	VIS	VIS-3a	CONS	Construction Activity Lighting: To the extent feasible given safety and security concerns, lighting on the construction site and the construction laydown area shall minimize potential night lighting impacts, as outlined in (A) through (D) of this condition [VIS-3]	Within 7 days after the first use of construction lighting, notify the CPM that the lighting is ready for inspection.	Notification to CPM	Within 7 days after the first use of construction lighting	10/27/2011	10/31/2011	approved	Notice Submitted to CEC on 10/27/11
230	VIS	VIS-3b	CONS	Construction Activity Lighting	If the CPM notifies the applicant that modifications to the lighting are needed to minimize impacts, within 15 days of receiving that notification implement the necessary modifications and notify the CPM that the modifications have been completed.	(If Needed)	Within 15 days of receiving notification	As-needed	NA	As-needed	
231	VIS	VIS-3c	CONS	Construction Activity Lighting: If the applicant receives a complaint about construction lighting, the applicant shall notify the CPM and shall use the complaint resolution form included in the General Conditions section of the Compliance Plan to record each lighting complaint and to document the resolution of that complaint. The applicant shall provide a copy of each complaint form to the CPM.	Within 48 hours of receiving a lighting complaint, provide to the CPM; a) a report of the complaint, b) a proposal to resolve the complaint, and c) a schedule for implementation of the proposal.	(If Needed)	Within 48 hours of receiving a lighting complaint	As-needed	NA	As-needed	
232	VIS	VIS-3d	CONS	Construction Activity Lighting	Notify the CPM within 48 hours after completing implementation of the proposal to resolve the lighting complaint.	(If Needed)	Within 48 hours of implementing the proposal to resolve a lighting complaint	As-needed	NA	As-needed	

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233	VIS	VIS-3e	CONS	Construction Activity Lighting	Provide a copy of the completed complaint resolution form to the CPM in the next Monthly Compliance Report.	(If Needed)	--	As-needed	NA	As-needed	
234	VIS	VIS-4a	PC	Permanent Exterior Lighting: To the extent feasible, consistent with safety and security considerations and commercial availability, design and install all permanent exterior lighting as described in measures (A) through (I) of this condition [VIS-4]. Provide to the CPM a lighting management plan that includes at a minimum the elements described in this condition.	At least 60 days prior to ordering any permanent exterior lighting, submit to the CPM for approval a lighting management plan. If the CPM determines that the lighting management plan requires revision, provide to the CPM a plan with the specified revision(s) for approval. No exterior lighting should be ordered until receiving CPM approval of the lighting management plan.	Lighting Mitigation Plan	At least 60 days prior to ordering any permanent exterior lighting	12/5/11-main site	12/15/2011	Approved	
235	VIS	VIS-4b	CONS	Permanent Exterior Lighting	Prior to commercial operation, notify the CPM that the lighting has been installed and is ready for inspection.	Notification to CPM	Prior to commercial operation	5/29/2012		Notification submitted to CEC 5/29/12	Lighting installed and ready for inspection
236	VIS	VIS-4c	CONS	Permanent Exterior Lighting	If after inspection the CPM notifies the applicant that modifications to the lighting are needed, within 30 days of receiving notification implement the modifications and notify the CPM that the modifications have been completed and are ready for inspection.	(If Needed)	Within 30 days of receiving notification	As-needed	NA	As-needed	
237	VIS	VIS-4d	OPS	Permanent Exterior Lighting: The lighting management plan that includes a process for addressing and mitigating lighting related complaints.	Within 10 days of receiving a project-related lighting complaint, 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.	(If Needed)	Within 10 days of receiving a project-related lighting complaint	As-needed	NA	As-needed	
238	VIS	VIS-4e	OPS	Permanent Exterior Lighting	Notify the CPM within 10 days after completing implementation of the proposal.	(If Needed)	Within 10 days of implementing a proposal to resolve a lighting complaint	As-needed	NA	As-needed	
239	VIS	VIS-4f	OPS	Permanent Exterior Lighting	A copy of the complaint resolution form report shall be submitted to the CPM within 30 days of complaint resolution.	(If Needed)	Within 30 days of complaint resolution	As-needed	NA	As-needed	
240	VIS	VIS-5a	CONS	Publicly Visible Project-Related Signage: Any publicly visible signage shall be the minimal signage visible to the public, and shall follow (a) and (b) of this condition [VIS-5]. The design of any signs required by safety regulations shall conform to the criteria established by those regulations. The applicant shall submit a sign plan for publicly visible signs for the project to the Director of the Alameda County Community Development Agency Planning Department for comment and to the CPM for approval. The applicant shall not implement the plan until the applicant receives approval of the submittal from the CPM.	At least 30 days prior to installing publicly visible signs, submit a sign plan for the project to the Director of the Alameda County Community Development Agency Planning Department for comment and to the CPM for approval. Provide a copy of the Director of the Alameda County Community Development Agency Planning Department comments to the CPM.	Sign Plan & County Comments	At least 30 days prior to installing publicly visible signs	3/16/2012		In-progress	Obtained list of Alameda County code requirements on signs for information.

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241	VIS	VIS-5b	CONS	Publicly Visible Project-Related Signage	If the CPM determines that the sign plan requires revision, provide to the CPM a plan with the specified revision(s) for approval by the CPM before any signage visible to the public is installed.	(If Needed)	Prior to installing signage visible to the public	As-needed	NA	As-needed	
242	VIS	VIS-5C	CONS	Publicly Visible Project-Related Signage	Inform the CPM that the publicly visible signs have been installed and provide the CPM with electronic color photographs of the installed signage.	Notification of installation & photographs	?	TBD		Not Started	
243	VIS	VIS-6a	CONS	Landscaping: Provide a comprehensive landscaping and irrigation plan, as described in this condition [VIS-6]. Landscaping shall be installed or bonded prior to the start of commercial operation. In no event shall landscaping be installed any later than 6 months after the start of commercial operation. The applicant shall not implement the landscaping and irrigation plan until the applicant receives approval from the CPM. Planting must be completed or bonded by the start of commercial operation, and the planting must occur during the optimal planting season, but not later than 6 months after the start of commercial operation.	Prior to commercial operation and at least 60 days prior to installing the landscaping, provide a copy of the landscaping and irrigation plan to the Director of the Alameda County Community Development Agency Planning Department for review and to the CPM for approval. Provide to the CPM a copy of the transmittal letter submitted to the Director of the Alameda County Community Development Agency Planning Department requesting their review.	Landscaping & Irrigation Plan / County Transmittal Letter & Comments	Prior to commercial operation and at least 60 days prior to installing the landscaping	2/29/2012 and 5/18/12	5/21/2012	approved	
244	VIS	VIS-6b	CONS	Landscaping: Provide a comprehensive landscaping and irrigation plan, as described in this condition [VIS-6]. Landscaping shall be installed or bonded prior to the start of commercial operation. The applicant shall not implement the landscaping and irrigation plan until the applicant receives approval from the CPM. Planting must be completed by the start of commercial operation, and the planting must occur during the optimal planting season.	Notify the CPM within 7 days after completing installation of the landscaping and irrigation that the landscaping and irrigation is ready for inspection.	Notification to CPM	Within 7 days after completing installation of the landscaping and irrigation	8/2/2012		Not Started	local landscaper to the do the work contacted and he will bid the job when the final plan is approved.
245	VIS	VIS-6c	OPS	Landscaping	The Applicant shall replace dead or dying plantings (plants and trees) listed or shown in the approved landscaping and irrigation plan for the project, annually at the least (e.g., start of Spring), for the life of the project.	Additional Plantings	Annually/As-Needed	As-needed	NA	As-needed	

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246	WASTE	WASTE-1	PC	Provide the resume of an experienced and qualified Professional Engineer or Professional Geologist, who shall be available for consultation during site characterization (if needed), excavation and grading activities, to the CPM for review and approval. The resume shall show experience in remedial investigation and feasibility studies. The Professional Engineer or Professional Geologist shall be given full authority by the project owner to oversee any earth moving activities that have the potential to disturb contaminated soil.	At least 30 days prior to the start of site mobilization, submit the resume of the Professional Engineer or Professional Geologist to the CPM for review and approval.	Professional Engineer / Geologist Resume	At least 30 days prior to the start of site mobilization	Complete	3/11/2011	Complete	
247	WASTE	WASTE-2a	CONS	If potentially contaminated soil is identified, the Professional Engineer or Geologist shall inspect the site, determine the need for sampling, and provide a written report to the project owner, representatives of Department of Toxic Substances Control, and the CPM stating the recommended course of action.	Submit any final reports filed by the Professional Engineer or Professional Geologist to the CPM within 5 days of their receipt.	(If Needed)	Within 5 days of receiving any reports filed by the Professional Engineer or Geologist	As-needed	NA	As-needed	
248	WASTE	WASTE-2b	CONS	The Professional Engineer or Geologist shall have the authority to temporarily suspend construction activity at that location for the protection of workers or the public. If, in the opinion of the Professional Engineer or Professional Geologist, significant remediation may be required, the project owner shall contact the CPM and representatives of the Department of Toxic Substances Control for guidance and possible oversight.	Notify the CPM within 24 hours of any orders issued to halt construction.	(If Needed)	Within 24 hours of any orders issued to halt construction	As-needed	NA	As-needed	
249	WASTE	WASTE-3	PC	Obtain a hazardous waste generator identification number from the USEPA prior to generating any hazardous waste during construction and operations.	Keep a copy of the identification number on file at the project site and provide the number to the CPM in the next Monthly Compliance Report.	USEPA Haz Waste Generator ID Number	Prior to generating any hazardous waste	Complete	4/4/2011	Complete	
250	WASTE	WASTE-4	CONS	Upon becoming aware of any impending waste management-related enforcement action, notify the CPM of any such action taken or proposed to be taken against the project itself, or against any waste hauler or disposal facility or treatment operator with which the owner contracts.	Notify the CPM in writing within 10 days of becoming aware of an impending enforcement action. The CPM shall notify the project owner of any changes that will be required in the way project-related wastes are managed.	(If Needed)	Within 10 days of becoming aware of an impending enforcement action	As-needed	NA	As-needed	
251	WASTE	WASTE-5	PC	Prepare a Construction Waste Management Plan for all wastes generated during construction of the facility, and submit the plan to the CPM for review and approval. The plan shall contain, at a minimum, the elements listed in this condition [WASTE-5].	Submit the Construction Waste Management Plan to the CPM for approval no less than 30 days prior to the initiation of construction activities at the site.	Construction Waste Management Plan	At least 30 calendar days prior to start of construction	Complete	5/4/2011	Complete	
252	WASTE	WASTE-6a	CONS	Prepare an Operation Waste Management Plan for all wastes generated during operation of the facility, and shall submit the plan to the CPM for review and approval. The plan shall contain, at a minimum, the elements listed in this condition [WASTE-6].	Submit the Operation Waste Management Plan to the CPM for approval no less than 30 days prior to the start of project operation. Submit any required revisions to the CPM within 20 days of notification from the CPM that revisions are necessary.	Operation Waste Management Plan	At least 30 days prior to the start of operation	3/13/2012	4/3/2012	approved	verification complete

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253	WASTE	WASTE-6b	OPS	Operation Waste Management Plan	Document in each Annual Compliance Report 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	On-going	NA	Not Started	
254	WASTE	WASTE-7	CONS	All spills or releases of hazardous substances, materials, or waste shall be reported, cleaned-up, and remediated as necessary, in accordance with all applicable federal, state, and local requirements.	Document, as described in this condition [WASTE-7] all unauthorized releases and spills of hazardous substances, materials, or wastes that occur on the project property or related pipeline and transmission corridors. Copies of the unauthorized spill documentation shall be provided to the CPM within 30 days of the date the release was discovered.	(If Needed)	Within 30 days of the date the release was discovered	As-needed		In-progress	
255	WORKER SAFETY	WORKER SAFETY-1	PC	Submit to the CPM the Project Construction Safety and Health Program containing the elements listed in this condition [WORKER SAFETY-1]. The Personal Protective Equipment Program, the Exposure Monitoring Program, and the Injury and Illness Prevention Program shall be submitted to the CPM for review and approval. The Construction Emergency Action Plan and the Fire Prevention Plan shall be submitted to the Alameda County Fire Department for review and comment prior to submittal to the CPM for approval.	At least 30 days prior to the start of construction, the project owner shall submit to the CPM for review and approval a copy of the Project Construction Safety and Health Program. Provide a copy of a letter to the CPM from the Alameda County Fire Department stating the fire department's comments on the Construction Fire Prevention Plan and Emergency Action Plan.	Construction Health & Safety Program w/Fire Department Comments on EAP/FPP	At least 30 calendar days prior to start of construction	Partial Complete	5/16/2011 and 1/9/12	approved	PG&E plan submitted and approved on 11/29/11
256	WORKER SAFETY	WORKER SAFETY-2	CONS	Submit to the CPM the Project Operations and Maintenance Safety and Health Program containing the elements listed in this condition [WORKER SAFETY-2]. The Operation Injury and Illness Prevention Plan, Emergency Action Plan, and Personal Protective Equipment Program shall be submitted to the CPM for review and comment concerning compliance of the programs with all applicable safety orders. The Fire Prevention Plan and the Emergency Action Plan shall also be submitted to the Alameda County Fire Department for review and comment.	At least 30 days prior to the start of first-fire or commissioning, submit to the CPM for approval a copy of the Project Operations and Maintenance Safety and Health Program. Provide a copy of a letter to the CPM from the Alameda County Fire Department stating the fire department's comments on the Operations Fire Prevention Plan and Emergency Action Plan.	Operation Health & Safety Program w/Fire Department Comments on EAP/FPP	At least 30 days prior to the start of first-fire or commissioning	3/5/2012	5/8/2012	Approved	
257	WORKER SAFETY	WORKER SAFETY-3a	PC	Provide a site Construction Safety Supervisor (CSS) who is qualified as specified in this condition [WORKER SAFETY-3]. The CSS shall perform the duties listed in this condition.	At least 30 days prior to the start of construction, submit to the CPM the name and contact information for the CSS.	CSS Name/Contact	At least 30 calendar days prior to start of construction	Partial Complete	5/16/2011 and 1/9/12	Approved	CSS for LG, Tidelands and PG&E submitted.

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258	WORKER SAFETY	WORKER SAFETY-3b	CONS	Construction Safety Supervisor (CSS)	The CSS shall submit in the Monthly Compliance Report a monthly safety inspection report to include the elements listed in this condition. The contact information of any replacement CSS shall be submitted to the CPM within one business day.	MCR	Monthly	On-going	NA	In-progress	
259	WORKER SAFETY	WORKER SAFETY-4	PC	Make payments to the Chief Building Official (CBO) for the services of a Safety Monitor. Those services shall be in addition to other work performed by the CBO. The Safety Monitor shall be responsible for the duties listed in this condition [WORKER SAFETY-4].	Prior to the start of construction, provide proof of agreement to fund the Safety Monitor services to the CPM for review and approval.	Proof of Agreement w/CBO for Safety Monitor	Prior to construction	Complete	5/16/2011	Complete	
260	WORKER SAFETY	WORKER SAFETY-5	PC	A portable automatic external defibrillator (AED) shall be located on site during demolition, construction, and operations and a training program shall be implemented, as described in this condition [WORKER SAFETY-5]. The training program shall be submitted to the CPM for review and approval.	At least 30 days prior to the start of construction, submit to the CPM proof that a portable AED exists on site and a copy of the training and maintenance program for review and approval.	Proof of AED and Training Program	At least 30 calendar days prior to start of construction	Complete	5/16/2011	Complete	
261	WORKER SAFETY	WORKER SAFETY-6	OPS	The project owner shall provide a $70,000 payment to the Tracy Fire Department prior to the start of commercial operation. This funding shall fully compensate Tracy Fire for any services it may be called to provide the Project over the life of the Project.	At least five (5) days prior to the start of commercial operation the project owner shall provide documentation of the payment described above to the CPM.	Statement of Verification	5 days prior to COD	8/2/2012	6/27/2012	approved	verification complete
262	GEN	GEN-1a	CONS	The LORS listed in this condition [GEN-1] shall be enforced during the design, construction, addition, alteration, moving, demolition, repair, or maintenance of the completed facility. Submit plans, calculations and other related documents that have been specifically developed for the MEP.	Five days prior to requesting the issuance of the certificate of occupancy, submit to the CPM and the CBO 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.	Statement of Design Verification	Five days prior to requesting the issuance of the certificate of occupancy	4/29/2012		Not Started	Waterline parts submitted to CBO.
263	GEN	GEN-1b	CONS	The LORS listed in this condition [GEN-1] shall be enforced during the design, construction, addition, alteration, moving, demolition, repair, or maintenance of the completed facility. Submit plans, calculations and other related documents that have been specifically developed for the MEP.	Provide the CPM a copy of the certificate of occupancy within 30 days of receipt from the CBO.	Certificate of Occupancy	Within 30 days of receiving the certificate of occupancy	6/13/2012		In-progress	Received Final COO for Pump House on June 1, 2012. Need for Admin, Warehouse.

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264	GEN	GEN-1c	OPS	The LORS listed in this condition [GEN-1] shall be enforced during the design, construction, addition, alteration, moving, demolition, repair, or maintenance of the completed facility. Submit plans, calculations and other related documents that have been specifically developed for the MEP.	Once the certificate of occupancy has been issued, inform the CPM at least 30 days 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.	Notification to CPM	At least 30 days prior to any work on the completed facility that requires CBO approval	TBD		Not Started	
265	GEN	GEN-2a	CONS	Before submitting the initial engineering designs for CBO review, provide the CPM and the CBO with a schedule of facility design submittals, and master drawings and master specifications list, as specified in this condition [GEN-2]. To facilitate audits by Energy Commission staff, provide specific packages to the CPM upon request. In addition to the design submittals referenced above, plans and calculations for all construction work shall be submitted to the CBO for approval.	At least 60 days (or a project owner- and CBO-approved alternative time frame) prior to the start of rough grading, 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 in this condition. Major structures and equipment shall be added to or deleted from the list only with CPM approval.	Schedule, Master Drawings & Specifications Lists	At least 60 days prior to the start of rough grading	6/22/2011	7/1/2011	Complete	Master drawing and specification list submitted and approved 7/1/11. Update submitted 7/18/11.
266	GEN	GEN-2b	CONS	Schedule of facility design submittals	Provide schedule updates in the monthly compliance report.	MCR	Monthly	On-going	NA	In-progress	
267	GEN	GEN-3	PC	Make payments to the CBO for design review, plan checks, and construction inspections.	A copy of the contract between the project owner and the CBO shall be submitted to the CPM. The project owner shall make the required payments to the CBO in accordance with the agreement. The project owner shall send a copy of the CBO's receipt of payment to the CPM in the next monthly compliance report indicating that applicable fees have been paid.	Copy of CBO Contract / Receipt of Payment	In accordance with the agreement	Complete	3/16/2011	Complete	BV Sign Off
268	GEN	GEN-4a	PC	Prior to the start of rough grading, assign a California- registered architect, or a structural or civil engineer, as the resident engineer (RE) in charge of the project. The RE or his/her delegate(s) shall be responsible for the elements listed in this condition [GEN-4].	At least 30 days (or project owner- and CBO-approved alternative time frame) prior to the start of rough grading, submit to the CBO for review and approval, the resume and registration number of the RE and any other delegated engineers assigned to the project.	RE Resume & Registration Number	At least 30 days prior to the start of rough grading	Complete	3/16/2011 4/27/11	Complete	BV Sign Off
269	GEN	GEN-4b	CONS	--	Notify the CPM of the CBO's approvals of the RE and other delegated engineer(s) within 5 days of the approval.	Notification to CPM	Within 5 days of receiving the approval	As-needed	NA	As-needed	BV Sign Off (original submittals (GEN-4a) were submitted prior to the start of construction, future submittals will be "as-needed" - see GEN-4c

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270	GEN	GEN-4c	CONS	If the RE or the delegated engineers are reassigned or replaced, the project owner shall 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.	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.	(If Needed)	Within 5 days of replacing the RE or delegated engineer(s)	As-needed	NA	As-needed	
271	GEN	GEN-5a	PC	Prior to rough grading and prior to construction, assign at least one of each of the California registered engineers listed in this condition [GEN-5] to the project. The duties of the engineers are outlined in this condition.	At least 30 days (or project owner- and CBO-approved alternative time frame) prior to the start of rough grading, submit to the CBO for review and approval, resumes and registration numbers of the responsible civil engineer, soils (geotechnical) engineer, engineering geologist, responsible design engineer, mechanical engineer, and electrical engineer assigned to the project.	Engineer Resumes	At least 30 days prior to the start of rough grading	Complete	4/14/2011	Complete	BV Sign Off
272	GEN	GEN-5b	CONS	--	Notify the CPM of the CBO's approvals of the responsible engineers within five days of the approval.	Notification to CPM	Within 5 days of the approval	As-needed	NA	As-needed	BV Sign Off (original submittals (GEN-5a) were submitted prior to the start of construction, future submittals will be "as-needed" - see GEN-5c
273	GEN	GEN-5c	CONS	--	If the designated responsible engineer is subsequently reassigned or replaced, the project owner has five days in which to submit the resume 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.	(If Needed)	Within 5 days of replacing the designated engineer	As-needed	NA	As-needed	
274	GEN	GEN-6a	CONS	Prior to the start of an activity requiring special inspection, assign to the project, qualified and certified special inspector(s) The special inspector(s) shall perform the duties outlined in this condition [GEN-6].	At least 15 days (or project owner- and CBO-approved alternative time frame) prior to the start of an activity requiring special inspection, 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 in this condition.	Name/Quals of Special Inspector	At least 15 days prior to the start of an activity requiring special inspection	As-needed	NA	As-needed	
275	GEN	GEN-6b	CONS	--	Submit to the CPM a copy of the CBO's approval of the qualifications of all special inspectors in the next monthly compliance report.	MCR	MCR following approval of special inspectors	On-going	NA	In-progress	

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276	GEN	GEN-6c	CONS	--	If the special inspector is subsequently reassigned or replaced, the project owner has five days in which to submit the name and qualifications of the newly assigned special inspector to the CBO for approval. Notify the CPM of the CBO's approval of the newly assigned inspector within five days of the approval.	(If Needed)	Within 5 days of replacing the special inspector	As-needed	NA	As-needed	
277	GEN	GEN-7	CONS	If any discrepancy in design and/or construction is discovered in any engineering work that has undergone CBO design review and approval, document the discrepancy and recommend required corrective actions. The discrepancy documentation shall be submitted to the CBO for review and approval. The discrepancy documentation shall reference this condition and, if appropriate, applicable sections of the CBC and/or other LORS.	Transmit a copy of the CBO's approval of any corrective action taken to resolve a discrepancy to the CPM in the next monthly compliance report. If any corrective action is disapproved, the project owner shall advise the CPM, within five days, of the reason for disapproval and the revised corrective action to obtain CBO's approval.	(If Needed)	MCR following corrective action	As-needed	NA	As-needed	
278	GEN	GEN-8a	CONS	If any discrepancy in design and/or construction is discovered in any engineering work that has undergone CBO design review and approval, document the discrepancy and recommend required corrective actions. The discrepancy documentation shall be submitted to the CBO for review and approval. The discrepancy documentation shall reference this condition and, if appropriate, applicable sections of the CBC and/or other LORS.	Within 15 days of the completion of any work, 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.	MCR	Within 15 days of the completion of any work	On-going	NA	In-progress	
279	GEN	GEN-8b	CONS	--	After storing the final approved engineering plans, specifications, and calculations described above, submit to the CPM a letter stating both that the above documents have been stored and the storage location of those documents.	Notification to CPM	After storing the final approved engineering plans, specifications, and calculations	TBD		Not Started	This will be stored at the on-site library in the Admin Building.
280	GEN	GEN-8c	CONS	--	Within 90 days of the completion of construction, 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) files, with restricted (password-protected) printing privileges, on archive quality compact discs.	Copies of approved plans/specs/calcs/as-builts	Within 90 days of the completion of construction	10/29/2012		Not Started	This has been sent in for the waterline.

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281	CIVIL	CIVIL-1a	CONS	Submit to the CBO for review and approval the drainage and grading design, erosion & sediment control plan, SWPPP, related calculations & specifications, and the soils, geotechnical, or foundation reports.	At least 30 days (or project owner- and CBO-approved alternative time frame) prior to the start of site grading, submit the documents described in this condition to the CBO for design review and approval.	Drainage & grading design / DESCP / SWPPP / related calcs & specs / soils, geotechnical, or foundation reports	At least 30 days prior to the start of site grading	On-going	5/19/2011 Updated Plan submitted 6/27/11	Complete	
282	CIVIL	CIVIL-1b	CONS	--	In the next monthly compliance report following the CBO's approval, the project owner shall submit a written statement certifying that the documents have been approved by the CBO.	MCR	MCR following approval of documents described in CIVIL-1	On-going	8/24/2011	Complete	
283	CIVIL	CIVIL-2	CONS	The resident engineer shall, if appropriate, stop all earthwork and construction in the affected areas when the responsible engineer identifies unforeseen adverse soil or geologic conditions. Submit modified plans, specifications, and calculations to the CBO based on these new conditions, and obtain approval from the CBO before resuming work.	The project owner shall 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.	(If Needed)	Within 24 hours of work stopped	As-needed	NA	As-needed	
284	CIVIL	CIVIL-3a	CONS	Perform inspections in accordance with the CBC, and this condition [CIVIL-3]. If it is discovered that the work is not being performed in accordance with the approved plans, the discrepancies shall be reported immediately to the resident engineer, the CBO, and the CPM. Prepare a written report, with copies to the CBO and the CPM, detailing all discrepancies, non-compliance items, and the proposed corrective action.	Within five days of the discovery of any discrepancies, the resident engineer shall transmit to the CBO and the CPM a non-conformance report (NCR), and the proposed corrective action for review and approval. Within five days of resolution of the NCR, submit the details of the corrective action to the CBO and the CPM.	(If Needed)	Within five days of the discovery of any discrepancies	As-needed	NA	As-needed	
285	CIVIL	CIVIL-3b	CONS	--	A list of NCRs, for the reporting month, shall be included in the following monthly compliance report.	(If Needed)	MCR following resolution of NCR	As-needed	NA	As-needed	
286	CIVIL	CIVIL-4a	CONS	After completion of finished grading and erosion and sedimentation control and drainage work, obtain the CBO's approval of the final grading plans (including final changes) for the erosion and sedimentation control work. The civil engineer shall state that the work within his/her area of responsibility was done in accordance with the final approved plans.	Within 30 days (or project owner- and CBO-approved alternative time frame) of the completion of the erosion and sediment control mitigation and drainage work, 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.	Final Grading Plans / Signed statement from Civil Engineer	Within 30 days of the completion of the erosion and sediment control mitigation and drainage work	9/13/2012		Not Started	

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287	CIVIL	CIVIL-4b	CONS	--	Submit a copy of the CBO's approval to the CPM in the next monthly compliance report.	MCR	MCR following completion of the erosion and sediment control mitigation and drainage work	6/28/2012		Not Started	
288	STRUC	STRUC-1a	PC	Prior to the start of any increment of construction, submit plans, calculations and other supporting documentation, as described in this condition [STRUC-1] to the CBO for design review and acceptance for all project structures and equipment identified in the CBO-approved master drawing and master specifications list.	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, submit to the CBO the above final design plans, specifications and calculations, with a copy of the transmittal letter to the CPM.	Final Design Plans, Specs & Calcs with Transmittal Letter	At least 60 days prior to the start of any increment of construction of listed component in the CBO-approved master drawing and specifications list	Complete	5/19/2011	Complete	BV Sign Off - Preconstruction submittals complete. Additional submittals addressed under STRUC-1b
289	STRUC	STRUC-1b	CONS	Prior to the start of any increment of construction, submit plans, calculations and other supporting documentation, as described in this condition [STRUC-1] to the CBO for design review and acceptance for all project structures and equipment identified in the CBO-approved master drawing and master specifications list.	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, submit to the CBO the above final design plans, specifications and calculations, with a copy of the transmittal letter to the CPM.	Final Design Plans, Specs & Calcs with Transmittal Letter	At least 60 days prior to the start of any increment of construction of listed component in the CBO-approved master drawing and specifications list	On-going	NA	In-progress	
290	STRUC	STRUC-1c	CONS	--	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.	MCR	In the following MCR	On-going	NA	In-progress	
291	STRUC	STRUC-2a	CONS	Submit to the CBO the required number of sets of the documents listed in this condition [STRUC-2] related to work that has undergone CBO design review and approval: Concrete cylinder strength test reports; Concrete pour sign-off sheets; Bolt torque inspection reports; Field weld inspection reports; and Reports covering other structural activities requiring special inspections.	--	See condition text for document list	On a schedule suitable to the CBO	On-going	NA	In-progress	
292	STRUC	STRUC-2b	CONS	--	If a discrepancy is discovered in the data listed in this condition, within five days, 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) and the applicable CBC chapter and section.	(If Needed)	Within 5 days of discovering a discrepancy	As-needed	NA	As-needed	

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293	STRUC	STRUC-2c	CONS	--	Within five days of resolution of the NCR, submit a copy of the corrective action to the CBO and the CPM.	(If Needed)	Within five days of resolution of the NCR	As-needed	NA	As-needed	
294	STRUC	STRUC-2d	CONS	--	The project owner shall transmit a copy of the CBO's approval or disapproval of the corrective action to the CPM within 15 days. If disapproved, the project owner shall advise the CPM, within five days, the reason for disapproval, and the revised corrective action to obtain CBO's approval.	(If Needed)	Within 15 days of receiving approval or disapproval	As-needed	NA	As-needed	
295	STRUC	STRUC-3a	CONS	Submit to the CBO design changes to the final plans required by the CBC, including the revised drawings, specifications, calculations, and a complete description of, and supporting rationale for, the proposed changes, and shall give to the CBO prior notice of the intended filing.	On a schedule suitable to the CBO, 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.	(If Needed)	On a schedule suitable to the CBO	As-needed	NA	As-needed	
296	STRUC	STRUC-3b	CONS	--	Notify the CPM, via the monthly compliance report, when the CBO has approved the revised plans.	(If Needed)	In the following MCR	As-needed	NA	As-needed	
297	STRUC	STRUC-4a	CONS	Tanks and vessels containing quantities of toxic or hazardous materials exceeding amounts specified in the CBC shall, at a minimum, be designed to comply with the requirements of that chapter.	At least 30 days (or project owner- and CBO-approved alternate time frame) 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.	Final design plans, Specs & Calcs Engineer certification	At least 30 days prior to the start of installation of the tanks or vessels	11/25/2011	12/6/2011	COMPLETE	Specifications submitted and approved by CBO on 5/12/2011. Tank drawings submitted to CBO on 10/7/11 under Struc-1-10.2 and approved on 11/15/11. Package resubmitted under STRUC-4 on 11/25/11. Approved on 12/6/11.
298	STRUC	STRUC-4b	CONS	--	Send copies of the CBO approvals of plan checks to the CPM in the following monthly compliance report. The project owner shall also transmit a copy of the CBO's inspection approvals to the CPM in the monthly compliance report following completion of any inspection.	MCR	In the following MCR	On-going	NA	Not Started	

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299	MECH	MECH-1a	CONS	Submit, for CBO design review and approval, the proposed final design, specifications and calculations for each plant major piping and plumbing system listed. Upon completion of construction of any such system, request the CBO's inspection. The responsible mechanical engineer shall stamp and sign all plans, drawings, and calculations for the major piping and plumbing systems, subject to CBO design review and approval, and submit a signed statement to the CBO when the proposed piping and plumbing systems have been designed, fabricated, and installed in accordance with all of the applicable LORS.	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, 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, and send the CPM a copy of the transmittal letter in the next monthly compliance report.	Final design plans, Specs & Calcs Engineer certification w/ transmittal to CPM	At least 30 days prior to the start of any increment of major piping or plumbing construction listed in the CBO-approved master drawing and specifications list	TBD		In-progress	
300	MECH	MECH-1b	CONS	--	Transmit to the CPM, in the monthly compliance report following completion of any inspection, a copy of the transmittal letter conveying the CBO's inspection approvals.	MCR	In the following MCR	On-going		In-Progress	
301	MECH	MECH-2a	CONS	For all pressure vessels installed in the plant, submit to CBO and Cal-OSHA, prior to operation, the code certification papers and other documents required by applicable LORS. Upon completion of the installation of any pressure vessel, request the appropriate CBO and/or Cal-OSHA inspection of that installation.	At least 30 days (or project owner- and CBO-approved alternative time frame) prior to the start of on-site fabrication or installation of any pressure vessel, submit to the CBO for design review and approval, the documents listed in this condition, including a copy of the signed and stamped engineer's certification, with a copy of the transmittal letter to the CPM.	See condition text for document list	At least 30 days prior to the start of on-site fabrication or installation of any pressure vessel	TBD		In-progress	
302	MECH	MECH-2b	CONS	--	Transmit to the CPM, in the monthly compliance report following completion of any inspection, a copy of the transmittal letter conveying the CBO's and/or Cal-OSHA inspection approvals.	MCR	In the following MCR	On-going	NA	In-progress	

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303	MECH	MECH-3a	CONS	Submit to the CBO for design review and approval, specifications, calculations, and quality control procedures for any heating, ventilating, air conditioning (HVAC) or refrigeration system. Packaged HVAC systems, where used, shall be identified with the appropriate manufacturer's data sheets. Design and install all HVAC and refrigeration systems in accordance with applicable codes. Upon completion of any increment of construction, request the CBO's inspection. The final plans, specifications and calculations shall include approved criteria, assumptions, and methods. In addition, the responsible mechanical engineer shall sign and stamp all plans, drawings and calculations and submit a signed statement to the CBO that the proposed final design plans, specifications and calculations conform with the applicable LORS.	At least 30 days (or project owner- and CBO-approved alternative time frame) 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.	HVAC & refrigeration calcs, plans, and specs / ME statement / Transmittal to CPM	At least 30 days prior to the start of construction of any HVAC or refrigeration system	TBD		In-progress	
304	MECH	MECH-3b	CONS	--	Copy of the transmittal letter to the CPM in the following MCR.	MCR	In the following MCR	As-needed	NA	As-needed	
305	ELEC	ELEC-1a	CONS	Prior to the start of any increment of electrical construction for electrical equipment and systems 480 Volts or higher, submit, for CBO design review and approval, the proposed final design, specifications, and calculations. Upon approval, the above listed plans, together with design changes and design change notices, shall remain on the site or at another accessible location for the operating life of the project. Request that the CBO inspect the installation to ensure compliance with the requirements of applicable LORS.	At least 30 days (or project owner- and CBO-approved alternative time frame) prior to the start of each increment of electrical construction, submit to the CBO for design review and approval the documents listed in this condition. Include a copy of the signed and stamped statement from the responsible electrical engineer attesting compliance with the applicable LORS, and send the CPM a copy of the transmittal letter in the next monthly compliance report.	Final design, specs, & calcs / RE Statement / Transmittal to CPM	At least 30 days prior to the start of each increment of electrical construction	TBD		In-progress	
306	ELEC	ELEC-1b	CONS	--	Send the CPM a copy of the transmittal letter in the next monthly compliance report.	MCR	In the following MCR	As-needed	NA	As-needed	
307	PAL	PAL-1a	PC	Provide the CPM with the resume and qualifications of the PRS for review and approval. The PRS and Paleontological Resource Monitors (PRMs) shall meet the minimum qualifications described in this condition [PAL-1].	At least 60 days prior to the start of ground disturbance, submit a resume and statement of availability of its designated PRS for on-site work.	PRS Resume & Statement of Availability	At least 60 days prior to the start of ground disturbance	Complete	4/6/2011 4/15/11	Complete	
308	PAL	PAL-1b	PC	Ensure that the PRS obtains qualified PRMs to monitor as he or she deems necessary on the project. Paleontological Resource Monitors shall have the equivalent of the qualifications described in this condition [PAL-1].	At least 20 days prior to ground disturbance, provide a letter with resumes naming anticipated monitors, stating that the identified monitors meet the minimum qualifications for paleontological resource monitoring required by the condition.	PRM Resumes & Quals	At least 20 days prior to ground disturbance	Complete	5/4/2011	Complete	

Item #	Technical Area	Cond. Number	Phase	Description	Verification/Action	Submittal	Submittal Date Required	Expected or Actual Submittal Date	Date of Approval	Status	Notes
309	PAL	PAL-1c	CONS	If a PRM is replaced, the resume of the replacement PRM shall also be provided to the CPM. Keep resumes on file for qualified PRM.	If additional monitors are obtained during the project, 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.	(If Needed)	At least 1 week prior to the monitor beginning duties	As-needed	NA	As-needed	
310	PAL	PAL-1d	CONS	If the approved PRS is replaced, obtain CPM approval of the replacement PRS.	Prior to the termination or release of a PRS, submit the resume of the proposed new PRS to the CPM for review and approval.	(If Needed)	Prior to the termination or release of a PRS	As-needed	NA	As-needed	
311	PAL	PAL-2a	PC	Provide to the PRS and the CPM, for approval, maps and drawings showing the footprint of the project, as described in this condition [PAL-2]. If construction of the project proceeds in phases, maps and drawings may be submitted prior to the start of each phase. A letter identifying the proposed schedule of each project phase shall be provided to the PRS and CPM. The PRS or PRM shall consult weekly with the project superintendent or construction field manager to confirm area(s) to be worked the following week.	At least 30 days prior to the start of ground disturbance, provide the maps and drawings to the PRS and CPM.	Maps and drawings	At least 30 days prior to the start of ground disturbance	Complete	5/11/2011	Complete	
312	PAL	PAL-2b	CONS	If the footprint of the project or its linear facilities change, the project owner shall provide maps and drawings reflecting those changes to the PRS and CPM.	If there are changes to the footprint of the project, revised maps and drawings shall be provided to the PRS and CPM at least 15 days prior to the start of ground disturbance.	(If Needed)	At least 15 days prior to the start of ground disturbance	As-needed	NA	As-needed	
313	PAL	PAL-2c	CONS	Before work commences on affected phases, the project owner shall notify the PRS and CPM of any construction phase scheduling changes.	If there are changes to the scheduling of the construction phases, submit a letter to the CPM within 5 days of identifying the changes.	(If Needed)	Within 5 days of identifying the changes	As-needed	NA	As-needed	
314	PAL	PAL-3	PC	A paleontological resources monitoring and mitigation plan (PRMMP) shall be include elements (1) through (10) as specified in this condition [PAL-3] and submitted to the CPM for review and approval to identify general and specific measures to minimize potential impacts to significant paleontological resources. Copies of the PRMMP shall reside with the PRS, each monitor, the project owner's on-site manager, and the CPM.	At least 30 days prior to ground disturbance, provide a copy of the 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.	PRMMP	At least 30 days prior to ground disturbance	Complete	5/12/2011	Complete	Revised PRMMP submitted on 6/21/11

Item #	Technical Area	Cond. Number	Phase	Description	Verification/Action	Submittal	Submittal Date Required	Expected or Actual Submittal Date	Date of Approval	Status	Notes
315	PAL	PAL-4a	PC	WEAP: Prior to ground disturbance and for the duration of construction activities involving ground disturbance, as described in this condition [PAL-4], prepare and conduct weekly CPM-approved paleontological resources training for the workers specified in this condition. The training shall include elements (1) through (7) of this condition.	At least 30 days prior to ground disturbance, submit the proposed WEAP, including the brochure, with the set of reporting procedures for workers to follow. At least 30 days prior to ground disturbance, the project owner shall submit the training program presentation/materials to the CPM for approval if the project owner is planning to use a presentation format other than an in-person trainer for training.	Proposed WEAP & training materials	At least 30 days prior to ground disturbance	Complete	4/5/2011 5/16/11	Complete	
316	PAL	PAL-4b	CONS	WEAP TRAINING	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.	(If Needed)	Prior to installation of an alternate trainer	As-needed	NA	As-needed	
317	PAL	PAL-4c	CONS	WEAP TRAINING	In the MCR, 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. The MCR shall also include a running total of all persons who have completed the training to date.	MCR	Monthly	On-going	NA	In-progress	
318	PAL	PAL-5a	CONS	The PRS and PRM(s) shall monitor consistent with the PRMMP all construction-related grading, excavation, trenching, and augering in areas where potential fossil-bearing materials have been identified. The PRS and PRM(s) have the authority to halt or redirect construction if paleontological resources are encountered. Monitoring activities shall be conducted as in accordance with (1) through (4) of this condition [PAL-5]. A summary of monitoring and other paleontological activities shall be included placed in the MCRs, as described by this condition.	The PRS shall submit the summary of monitoring and paleontological activities in the MCR.	MCR	Monthly	On-going	NA	In-progress	

Item #	Technical Area	Cond. Number	Phase	Description	Verification/Action	Submittal	Submittal Date Required	Expected or Actual Submittal Date	Date of Approval	Status	Notes
319	PAL	PAL-5b	CONS	Any change of monitoring from the accepted schedule in the PRMMP shall be proposed in a letter or email from the PRS and the project owner to the CPM prior to the change in monitoring and will be included in the monthly compliance report. The letter or email shall include the justification for the change in monitoring and be submitted to the CPM for review and approval. In the event that the PRS determines full-time monitoring is not necessary in locations that were identified as potentially fossil-bearing in the PRMMP, the project owner shall notify and seek the concurrence of the CPM.	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	(If Needed)	At least 10 days in advance of any proposed changes in monitoring, when feasible	As-needed	NA	As-needed	
320	PAL	PAL-6a	OPS	All components of the PRMMP shall be adequately performed including collection of fossil materials, preparation of fossil materials for analysis, analysis of fossils, identification and inventory of fossils, the preparation of fossils for curation, and the delivery for curation of all significant paleontological resource materials encountered and collected during project construction.	Maintain in the compliance file copies of signed contracts or agreements with the designated PRS and other qualified research specialists for a period of three years after project completion and approval of the CPM-approved paleontological resource report (see PAL-7).	--	For 3 years after project completion	On-going	NA	In-progress	
321	PAL	PAL-6b	CONS	--	Pay 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.	(If Needed)	Following transmittal of fossils	As-Needed	NA	As-needed	
322	PAL	PAL-7	CONS	The Paleontological Resources Report (PRR) shall be prepared by the designated PRS following completion of the ground-disturbing activities. The PRR shall include the elements described in this condition [PAL-7].	Within 90 days after completion of ground-disturbing activities, including landscaping, submit the PRR under confidential cover to the CPM.	Paleontological Resources Report	Within 90 days after completion of ground-disturbing activities	10/29/2012		Not Started	
323	TSE	TSE-1a	CONS	Furnish to the CPM and to the CBO a schedule of transmission facility design submittals, as described in this condition [TSE-1], a Master Drawing List, a Master Specifications List, and a Major Equipment and Structure List. Provide designated packages to the CPM when requested.	At least 60 days prior to the start of construction, submit the schedule, a Master Drawing List, and a Master Specifications List to the CBO and to the CPM. The schedule shall contain the elements listed in this condition. Additions and deletions shall be made to the table only with CPM and CBO approval.	Schedule, Master Drawing and Specifications Lists	At least 60 days prior to the start of construction	6/22/2011	7/1/2011	Complete	Master drawing and specification list submitted and approved 7/1/11. EPC will provide updates on the 15th and 30th or each month
324	TSE	TSE-1b	CONS	--	Provide schedule updates in the monthly compliance report.	(If Needed)	Monthly	As-needed	NA	As-needed	

Item #	Technical Area	Cond. Number	Phase	Description	Verification/Action	Submittal	Submittal Date Required	Expected or Actual Submittal Date	Date of Approval	Status	Notes
325	TSE	TSE-2a	PC	Prior to the start of construction assign an electrical engineer and at least one of each of the engineers listed in this condition [TSE-2] to the project. No segment of the project shall have more than one responsible engineer. The electrical engineer shall perform duties (1) and (2) listed in this condition. This engineer shall be authorized to halt earthwork and to require changes if site conditions are unsafe or do not conform with predicted conditions used as a basis for design of earthwork or foundations.	At least 30 days prior to the start of rough grading, submit to the CBO for review and approval, the names, qualifications and registration numbers of all the responsible engineers assigned to the project. Notify the CPM of the CBO's approvals of the engineers within five days of the approval.	Name/Quals of Responsible Engineers	At least 30 days prior to the start of rough grading	Complete	4/7/2011	Complete	
326	TSE	TSE-2b	CONS	If any one of the designated engineers is subsequently reassigned or replaced, the project owner shall submit the name, qualifications and registration number of the newly assigned engineer to the CBO for review and approval.	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. Notify the CPM of the CBO's approvals of the engineers within five days of the approval.	(If Needed)	Within 5 days of replacing the engineer	As-Needed	NA	As-needed	
327	TSE	TSE-3	CONS	If any discrepancy in design and/or construction is discovered in any engineering work that has undergone CBO design review and approval, document the discrepancy and recommend corrective action. The discrepancy documentation shall become a controlled document and shall be submitted to the CBO for review and approval and shall reference this condition.	The project owner shall submit a copy of the CBO's approval or disapproval of any corrective action taken to resolve a discrepancy to the CPM within 15 days of receipt. If the corrective action is disapproved, advise the CPM, within five days, the reason for disapproval, and the revised corrective action required to obtain the CBO's approval.	(If Needed)	Within 15 days of receiving the discrepancy	As-Needed	NA	As-needed	
328	TSE	TSE-4a	CONS	For the power plant switchyard, outlet line and termination, do not begin any increment construction until plans for that increment have been approved by the CBO. These plans, together with design changes and design change notices, shall remain on the site for one year after completion of construction. Request that the CBO inspect the installation. Activities (A) through (C) of this condition shall be reported in the MCR.	At least 30 days 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.	Final design, specs, & calcs / RE Statement	At least 30 days prior to the start of each increment of construction	12/15/2011	12/28/2011	COMPLETE	letter from Engineer of record posted to CBO on 12/15/11. Transmittal in MCR. Reviewed by CBO with "For reference only" on 12/28/11
329	TSE	TSE-4b	CONS	Activities (A) through (C) of this condition shall be reported in the MCR.	Send the CPM a copy of the transmittal letter described in this condition in the next Monthly Compliance Report.	Transmittal to CPM	Monthly	On-going	NA	In-progress	

Item #	Technical Area	Cond. Number	Phase	Description	Verification/Action	Submittal	Submittal Date Required	Expected or Actual Submittal Date	Date of Approval	Status	Notes
330	TSE	TSE-5a	PC	The design, construction, and operation of the proposed transmission facilities will conform to all applicable LORS, and requirements (a) through (f) listed in this condition [TSE-5].	At least 60 days prior to the start of construction of transmission facilities, submit to the CBO for approval the elements (a) through (f) listed in this condition.	See condition text for document list	At least 60 days prior to the start of construction of transmission facilities	7/30/2011		In-progress	
331	TSE	TSE-5b	PC	Once approved, the project owner shall inform the CPM and CBO of any anticipated changes to the design, and shall submit a detailed description of the proposed change and complete engineering, environmental, and economic rationale for the change to the CPM and CBO for review and approval.	Prior to the construction of or start of modification of transmission facilities, inform the CBO and the CPM of any anticipated changes to the design that are different from the design previously submitted and approved and submit a detailed description of the proposed change and complete engineering, environmental, and economic rationale for the change to the CPM and CBO for review and approval.	(If Needed)	Prior to the construction of or start of modification of transmission facilities	As-needed	NA	As-needed	
332	TSE	TSE-6a	CONS	Provide the Notice to the California Independent System Operator (California ISO), as described in this condition [TSE-6], prior to synchronizing the facility with the California Transmission system. At least one week prior to synchronizing the facility with the grid for testing, provide the California ISO a letter stating the proposed date of synchronization.	Provide copies of the California ISO letter to the CPM when it is sent to the California ISO one week prior to initial synchronization with the grid.	Cal ISO Letter	At least 1 week prior to initial synchronization with the grid	May 16, 2012		Complete	Letter sent to CAISO on 5/16/12, CEC copied on letter on 5/16/12
333	TSE	TSE-6b	CONS	At least one business day prior to synchronizing the facility with the grid for testing, provide telephone notification to the California ISO Outage Coordination Department.	Contact the California ISO Outage Coordination Department, Monday through Friday, between the hours of 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 California ISO shall be provided electronically to the CPM one day before synchronizing the facility with the California transmission system for the first time.	Report of Conversation with Cal ISO	At least 1 business day prior to synchronizing the facility with the grid for testing	May 26, 2012		In-progress	Letter sent to CEC on June 7, 2012
334	TSE	TSE-7a	CONS	The transmission facilities shall be inspected during and after project construction, and any subsequent CPM and CBO approved changes thereto.	Within 60 days after first synchronization of the project, transmit to the CPM and CBO items (A) through (C) of this condition.	As built Engineering descriptions / drawings / Summary of inspections	Within 60 days after first synchronization of the project	June 24, 2012		Not Started	
335	TSE	TSE-7b	CONS	In case of non-conformance, the project owner shall inform the CPM and CBO in writing, within 10 days of discovering such non-conformance and describe the corrective actions to be taken.	In case of non-conformance, inform the CPM and CBO in writing, within 10 days of discovering such non-conformance and describe the corrective actions to be taken.	(If Needed)	Within 10 days of discovering non-conformance	As-needed	NA	As-needed	
336	COMPLIANCE	COMPLIANCE-1	CONS	Unrestricted Access	N/A	NONE	NA	On-going	NA	In-progress	
337	COMPLIANCE	COMPLIANCE-2	CONS	Maintain Project Files on site	N/A	NONE	NA	On-going	NA	In-progress	
338	COMPLIANCE	COMPLIANCE-3	CONS	Compliance Verification Submittals	N/A	Varies	NA	On-going	NA	In-progress	

Item #	Technical Area	Cond. Number	Phase	Description	Verification/Action	Submittal	Submittal Date Required	Expected or Actual Submittal Date	Date of Approval	Status	Notes
339	COMPLIANCE	COMPLIANCE-4	PC	Pre-construction Matrix and Tasks Prior to Start of Construction	Construction shall not commence until the all of the following activities/submittals have been completed: property owners living within one mile of the project have been notified of a telephone number to contact for questions, complaints or concerns; a pre-construction matrix has been submitted identifying only those conditions that must be fulfilled before the start of construction; all pre-construction conditions have been complied with; the CPM has issued a letter to the project owner authorizing construction.	Pre-construction Matrix	Prior to commencement of construction	Complete	Mar-11	Complete	
340	COMPLIANCE	COMPLIANCE-5	CONS	Compliance Matrix	The project owner shall submit a compliance matrix (in a spreadsheet format) with each monthly and annual compliance report which includes the status of all compliance conditions of certification.	Compliance Matrix	Monthly	On-going	NA	In-progress	
341	COMPLIANCE	COMPLIANCE-6a	CONS	Monthly Compliance Report List Item 1 Schedule	Summary of the current project construction status, a revised/updated schedule if there are any significant delays and an explanation of any significant changes to the schedule	MCR	Monthly	On-going	NA	In-progress	
342	COMPLIANCE	COMPLIANCE-6b	CONS	Monthly Compliance Report List Item 2 Documents required by specific conditions	Documents required by specific conditions to be submitted along with the MCR. Each must be identified in the transmittal letter, as well as the conditions they satisfy and submitted as attachments to the MCR.	MCR	Monthly	On-going	NA	In-progress	
343	COMPLIANCE	COMPLIANCE-6c	CONS	Monthly Compliance Report List Item 3 COC Matrix	See Compliance 5 Also	MCR	Monthly	On-going	NA	In-progress	
344	COMPLIANCE	COMPLIANCE-6d	CONS	Monthly Compliance Report List Item 4 Conditions Satisfied	A list of conditions that have been satisfied during the reporting period and a description or reference to the actions that satisfied the Condition	MCR	Monthly	On-going	NA	In-progress	
345	COMPLIANCE	COMPLIANCE-6e	CONS	Monthly Compliance Report List Item 5 Submittal deadlines missed	A List of any submittal deadlines that were missed, accompanied by an explanation and an estimate of when the information will be provided.	MCR	Monthly	On-going	NA	In-progress	
346	COMPLIANCE	COMPLIANCE-6f	CONS	Monthly Compliance Report List Item 6 changes to Conditions of Certification	A cumulative listing of any approved changes to Conditions of Certification	MCR	Monthly	On-going	NA	In-progress	
347	COMPLIANCE	COMPLIANCE-6g	CONS	Monthly Compliance Report List Item 7 Other Permits	A listing of any filings submitted to, or permits issued by, other governmental agencies during the month	MCR	Monthly	On-going	NA	In-progress	

Item #	Technical Area	Cond. Number	Phase	Description	Verification/Action	Submittal	Submittal Date Required	Expected or Actual Submittal Date	Date of Approval	Status	Notes
348	COMPLIANCE	COMPLIANCE-6h	CONS	Monthly Compliance Report List Item 8 Compliance activity schedule	A projection of compliance activities scheduled during the next two months. The project owner shall notify the CPM as soon as any changes are made to the project construction schedule that would affect compliance with the Conditions of Certification	MCR	Monthly and ASAP when changes are made to schedule	On-going	NA	In-progress	
349	COMPLIANCE	COMPLIANCE-6i	CONS	Monthly Compliance Report List Item 9 On-site file	A list of the month's additions to the on-site compliance file	MCR	Monthly	On-going	NA	In-progress	
350	COMPLIANCE	COMPLIANCE-6j	CONS	Monthly Compliance Report List Item 10 Complaints and Violations	A listing of complaints, notices of violation, official warnings, and citations received during the month, a description of the resolution of he resolved actions and the status of any unresolved actions.	MCR	Monthly	On-going	NA	In-progress	
351	COMPLIANCE	COMPLIANCE-7	CONS	Annual Compliance Report including a Key Events List		ACR	Annual	On-going	NA	Not Started	
352	COMPLIANCE	COMPLIANCE-8	CONS	Confidential Information	Any information the project owner deems confidential shall be submitted to the Energy Commission's Executive Director with a request for confidentiality.	Confidential Filings	As-Needed	As-Needed	NA	As-Needed	
353	COMPLIANCE	COMPLIANCE-9a	CONS	Annual fees	Payment of Annual Energy Facility Compliance Fee	Initial Annual Compliance Fee	Initial payment due on date of Business Meeting when Energy Commission accepts final decision	On-going	NA	In-Progress	
354	COMPLIANCE	COMPLIANCE-10a	PC	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. Within 10 days of receipt, the project owner shall report to the CPM, all notices, complaints, and citations.	Telephone Number for Nearby Property Owners to Call	Prior to commencement of construction	Complete	May-11	Complete	
355	COMPLIANCE	COMPLIANCE-10b	CONS	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. Within 10 days of receipt, the project owner shall report to the CPM, all notices, complaints, and citations.	Notice, Complaint, and Citation Reports	Within 10 days of receipt notify CPM	As-Needed	NA	As-Needed	
356	COMPLIANCE	COMPLIANCE-11	OPS	Planned Facility Closure	The project owner shall submit a closure plan to the CPM at least 12 months prior to commencement of a planned closure.	Closure Plan	At least 12 months prior to commencement of planned closure	TBD		Not started	

Item #	Technical Area	Cond. Number	Phase	Description	Verification/Action	Submittal	Submittal Date Required	Expected or Actual Submittal Date	Date of Approval	Status	Notes
357	COMPLIANCE	COMPLIANCE-12	CONS	Unplanned Temporary Facility Closure	To ensure that public health and safety and the environment are protected in the event of an unplanned temporary closure, the project owner shall submit an on-site contingency plan no less than 60 days prior to commencement of commercial operation.	On-site Contingency Plan	No less than 60 days prior to commencement of commercial operation	4/23/2012	4/26/2012	Approved	Submitted to CEC for review on 4/23/12.
358	COMPLIANCE	COMPLIANCE-13	CONS	Unplanned Permanent Facility Closure	To ensure that public health and safety and the environment are protected in the event of an unplanned permanent closure, the project owner shall submit an on-site contingency plan no less than 60 days prior to commencement of commercial operation. 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. A closure plan, consistent with the requirements for a planned closure, shall be developed and submitted to the CPM within 90 days of the permanent closure or another period of time agreed to by the CPM.	On-site Contingency Plan / Closure Plan	No less than 60 days prior to commencement of commercial operation / Within 90 days of permanent closure	4/23/2012	4/26/2012	Approved	Submitted to CEC for review on 4/23/12.
359	COMPLIANCE	COMPLIANCE-14a	CONS	Post-certification changes to the Decision	The project owner must petition the Energy Commission to delete or change a condition of certification, modify the project design or operational requirements and/or transfer ownership of operational control of the facility.	Post Certification Modifications	As-Needed	As-Needed	NA	As-Needed	
360	COMPLIANCE	COMPLIANCE-14b	OPS	Post-certification changes to the Decision	The project owner must petition the Energy Commission to delete or change a condition of certification, modify the project design or operational requirements and/or transfer ownership of operational control of the facility.	Post Certification Modifications	As-Needed	As-Needed	NA	As-Needed	

Exhibit 5
AQCMM Monthly Report

Air Quality Construction Mitigation Manager Report

PREPARED FOR: Stephanie Moore/CH2M HILL

PREPARED BY: Bradley Allender/LG Constructors

DATE: July 31, 2012

This report is the Air Quality Construction Mitigation Manager (AQCMM) Monthly Compliance Report (MCR) for submittal to the Construction Compliance Manager.

This report is prepared in accordance with the requirements of the Air Quality Construction Mitigation Plan, AQ-SC2, Section 6.

AQ-SC3, AQ-SC4, AQ-SC5

- **Wind Erosion Control Techniques**
  - No major construction activities in July 2012; site watering not required. Slopes hydroseeded.
- **Speed Limit Signage**
  - Installed previously. Post size and location modified for visibility as needed.
- **Track Out BMPs**
  - Final paving complete; no longer neccessary.
- **Paved Road Sweeping Activities**
  - No major construction activities in July 2012; sweeping not required.
- **Complaints Filed**
  - None
- **Dust Plume Response**
  - No major construction activities in July 2012; mitigation of dust plumes not required.
- **Tier 3 California Emission Diesel Engine Requirements (AQ-SC5)**
  - See Construction Equipment Survey Form.
    - For Tier 3 equipment on site for more than 5 days the Engine Tier Design Table from California Code of Regulations Title 13, Section 2423 is used to determine engine tier.
    - No equipment on site for more than 5 days, where Tier 3 is not available; quotes from two vendors not required.
  - Equipment maintenance letters for equipment on site at the end of the month in Attachment 1.

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Appendix B
Equipment Survey Form

Description of Project Construction Equipment
(To be filled out by the onsite Air Quality Construction Mitigation Manager)

Equipment Type/Owner	Vehicle/Engine Model Year	Manufacturer	Horsepower	EPA/ARB Engine Tier
210LJ - Skip Loader/Teichert	2010/2010	Deere	84	Tier 3
Sweeper/Teichert	1999/1999	LAY-MOR	29	N/A <50HP
580 Super N Backhoe/Flores	2011/2011	Case	97	Tier 3
580 Super N Backhoe/Peterson	2008/2008	Case	97	Tier 3
TL1255 Forklift/Cresco	2009/2008	CAT	142	Tier 3
400S Aerial Lift/United	2008/2008	JLG	48.9	N/A <50HP
210LJ - Skip Loader/Teichert	2009/2009	Deere	84	Tier 3
VR-1056D Forklift/Sunstate	2012/2007	Skyjack	110	Tier 3
966H Loader/Compaction Rentals	2009/2006	CAT	286	Tier 3
CB24 Roller/Holt	2012/2012	CAT	33	N/A <50HP
CS56 - Vibratory Roller/Cresco	2011/2010	CAT	156	Tier 3****
TH560B Forklift/United	2005/2005	CAT	100	Tier 2***
TL1055 Forklift/Cresco	2011/2011	CAT	126.1	Tier 3
Z-45/25J Aerial Lift/United	/	Genie	48	N/A <50HP
400S Aerial Lift/United	2008/2008	JLG	48.9	N/A <50HP
* Tier 3 not required per AQCS5 - On site 5 days or less				
** Tier 3 not required per AQCS5 - Tier 3 not available, 2 quotes provided				
*** Removed from site - Does not meet AQSC5				
**** Equipment stored on site, not used for entire month. Maintenance letter not provided				

Note:

For all construction equipment 50 hp or higher that do not meet the Tier 3 California Emission Standards for Off-Road Compression- Ignition Engines, quotes from two separate vendor sources must be attached, documenting that the equipment in question is not available at the Tier 3 level.

AQCMM Monthly Report

Attachment 1

Equipment Maintenance Letters

Monday, July 2nd, 2012

To Whom It May Concern,

Cresco Equipment Rentals has an established maintenance system which routinely keeps our equipment at or exceeding manufacturers recommended service levels and in proper operational condition.

For large, metered equipment we have initial machine services done within the first 50 or 100 hours of the machine life, then regularly scheduled maintenance every 250 hours or per the various equipment manufacturer specifications.

All maintenance and repair work is documented on work orders specific to each machine, and a copy of a work order for a service or repair can be produced upon request.

If you have any questions regarding the service or maintenance history of a machine, please call John Mazur or Tyler Hardy at Cresco Product Support 925-228-9152.

Thank You,
John Mazur
Service Manager
Cresco Product Support

191 Howe Rd
Martinez CA, 94553
925-228-9152 ext.224
925-228-4552 fax

Exhibit 6
Resource Specialists' Monthly Reports

Biological Resources Monthly Report

BIO-2

Biological Resources Mitigation Monitoring Monthly Compliance Report for the Mariposa Energy Project July 2012

Prepared for

Mariposa Energy, LLC

August 2012

CH2MHILL

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Appendixes

A Cumulative Wildlife Species Observed In or Near the Project Area
B Representative Site Photographs
C Wildlife Observation Forms

Acronyms and Abbreviations

AMBA	American badger
BMP	Best Management Practice
BM	Biological Monitor
BRMIMP	Biological Resources Mitigation Implementation and Monitoring Plan
BUOW	burrowing owl
BBID	Byron Bethany Irrigation District
CDFG	California Department of Fish and Game
CEC	California Energy Commission
CPM	Compliance Project Manager
CRLF	California red-legged frog
CTS	California tiger salamander
CTG	combustion turbine generator
cogen	cogeneration
COC	Condition of Certification
D	Drainage
DB	Designated Biologist
ECM	Environmental Compliance Manager
kV	kilovolt(s)
MEP	Mariposa Energy Project
PG&E	Pacific Gas & Electric
RWQCB	Regional Water Quality Control Board
SJKF	San Joaquin kit fox
WPPP	Stormwater Pollution Prevention Plan
SWHA	Swainson's hawk
USACE	U.S. Army Corps of Engineers
WPT	western pond turtle
WEAP	Worker Environmental Awareness Program

SECTION 1

Introduction

This Monthly Compliance Report for the Mariposa Energy Project (MEP) has been prepared to comply with California Energy Commission (CEC) Condition of Certification (COC) BIO-2. MEP will be a nominal 200-megawatt (MW) simple-cycle generating facility consisting of four General Electric Energy LM6000 PC-SPRINT natural gas-fired combustion turbine generators and associated equipment. The facility is located in northeastern Alameda County, California, on an approximately 10 acres of a 158-acre parcel that consists of non-irrigated grazing land, a former wind-turbine development, and an existing cogeneration (cogen) power plant. The MEP site is approximately 7 miles northwest of Tracy, 7 miles east of Livermore, 6 miles south of Byron, and approximately 2.5 miles west of the community of Mountain House.

Temporary construction facilities will include a 9.2-acre worker parking and laydown area immediately east of the MEP site and a 1-acre water supply pipeline parking and laydown area located at the Byron Bethany Irrigation District (BBID) headquarters facility on Bruns Road. Equipment staging for the construction of the transmission line and gas line will take place in the 9.2-acre laydown area. The main laydown area will be in use for approximately 14 months, including during the wet season. Because heavy machinery will be used at the site, portions of the 9.2-acre laydown area will require gravel or road base with an underlayment of geotextile fabric for stabilization. Topsoil stripped from the laydown will be stockpiled onsite inside the laydown area. During project completion, ripping will be performed to a depth no less than 2 feet to reduce compaction of underlying native soils. The resulting roughed soil surface will be smoothed and covered with salvaged topsoil removed from the laydown area during initial ground-breaking activities. The base rock and fabric underlayment will be removed before ripping and replacing the topsoil. This procedure will facilitate post-construction restoration. The temporary laydown area for the water supply pipeline will be located within an existing maintenance yard at BBID's headquarters.

The existing gravel road from Bruns Road provides access to the Byron Cogen Power Plant. A portion of this gravel road will be improved and used during construction and operation of MEP. Improvements resulting in a permanent loss of grassland habitat include widening the road from approximately 10 to about 20 feet, and adding an asphalt layer. Temporary overland access routes to the transmission line corridor and gas line corridor will originate from this main road and all access to the offsite facilities work areas will occur in upland grassland areas only. All nearby seasonal wetlands, such as vernal pools, will be avoided during overland access. Access to the water supply pipeline corridor will be from existing roads including Bruns Road, a portion of the onsite main access road, and a BBID agricultural dirt road.

In addition to the new power plant and associated equipment, the Project includes the following offsite facilities:

- A new 580-foot-long, 8-inch-diameter natural gas pipeline connection with Pacific Gas & Electric's (PG&E) existing high-pressure gas line
- A new 1.8-mile-long, 10-inch-diameter water supply pipeline connection with BBID's Canal 45;
- An approximately 0.7-mile-long, single-circuit, three-phase, 230-kilovolt (kV) transmission line interconnection

The gas pipeline will run generally to the east from the project site, staying on the 158-acre project parcel, and will be installed in a relatively shallow trench. The water supply pipeline will be placed in or along Bruns Road and run from Canal 45 south to the power plant site. The water supply pipeline will cross seven culverts using either underground tunneling (pipe ramming) or open-cut trenching. From Bruns Road, the water supply pipeline will follow the existing access road to the power plant site. The 230-kV line will run generally north from the project site, staying east of the Byron Power Cogen Plant, crossing Kelso Road, and staying east of the PG&E Bethany Compressor Station. It will turn west just north of the Kelso Substation, then turn south to the final interconnect point at PG&E's Kelso Substation.

The project was designed to avoid significant adverse impacts to sensitive biological resources to the furthest extent feasible. Protection measures were developed during informal and formal consultation with state and federal agencies to minimize unavoidable project impacts. Project approval from the CEC was issued on May 18, 2011, and included conditions that must be monitored by the Designated Biologist (DB). The U.S. Army Corps of Engineers (USACE) Nationwide Permit (SPK-2009-01261) (including U.S. Fish and Wildlife Service Biological Opinion [Reference #84120-2009-F-1306-2]) was issued to the project on May 17, 2011. The Regional Water Quality Control Board (RWQCB) 401 Water Quality Certification (WDID #5B01CR00012) was issued to the project on May 26, 2011. The DB and/or Biological Monitor (BM) will be available during all phases of construction to ensure compliance with the mitigation measures outlined in the *Biological Resources Mitigation Implementation and Monitoring Plan* (BRMIMP) which includes the aforementioned permits. The following report includes a summary of the MEP monitored biological activities for July 2012.

SECTION 2

Monitored Mitigation Measures

Mitigation measures for the MEP were developed through consultation with the CEC (in consultation with California Department of Fish and Game [CDFG]), USACE, USFWS, and RWQCB. Documentation of compliance with any conditions of the agency permits will be included in this section when required on the project.

2.1 Conditions of Certification

All COCs were in compliance for the month of July. The following COCs—BIO-5, BIO-7, BIO-8, BIO-9, BIO-10, BIO-11, BIO-12, BIO-13, BIO-14, BIO-15, and BIO-17—were applicable compliance measures and require specific language to be included in each monthly compliance report. Therefore, each is addressed separately below.

2.1.1 BIO-5

BIO-5 states that every worker will attend and participate in the Worker Environmental Awareness Program (WEAP) and the DB and/or BM make site visits to insure that BIO-5 was in compliance. A total of 29 personnel received WEAP training in July. During the month of July, DB Todd Ellwood verified project compliance with BIO-5.

2.1.2 BIO-7

BIO-7 addresses the implementation and application of biological impact and avoidance measures, Best Management Practices (BMPs), Stormwater Pollution Prevention Plan (SWPPP), and staking and flagging of exclusion zones of biological resources. Also, every worker must participate in the WEAP and the DB and/or BM are to make site visits to insure that BIO-7 was in compliance during the month of July.

Installation of worker exclusion fencing and wildlife exclusion fencing progressed in several phases to accommodate construction activities while breeding burrowing owls were present within the project footprint. The first phase (Phase 1) of the fencing plan was completed on June 14, 2011, and included the area associated with the fire pump foundation and water line. Subsequent phases of the fencing plan were completed on July 6, July 11, July 21, July 25, September 30, 2011, and January 3, 2012. The BMPs implemented to minimize temporary impacts to Waters of the U.S. were sent to the USACE on June 30, 2011. On May 22 and 23, 2012, as part of completion of the MEP transmission line, the temporary worker exclusion fence was removed from the work corridor under the supervision of the BM.

During the month of July, minor repairs were made to wildlife exclusion fencing to repair damage primarily due to strong winds. Ground squirrels or other small mammals occasionally burrowed under the fencing, and these holes were filled by moving loose dirt back into the hole using a boot or hand. During the month of July, the DB verified project compliance with BIO-7 and the conditions of the USACE permit, USFWS Biological Opinion, and RWQCB permit.

2.1.3 BIO-8

BIO-8 requires that preconstruction nest surveys be conducted for birds for all project components (i.e., power plant site and linear facilities). Surveys are to include all potential nesting habitat within 500 feet of the MEP site and linear facilities (except for Swainson's hawk [SWHA], see BIO-15). At least two preconstruction surveys are to be conducted, separated by a minimum 10-day interval. One of the surveys needs to be conducted within the 14-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. 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 DB in consultation with CDFG and USFWS Migratory Bird Office) and monitoring plan must be developed. The monitoring plan is to include avoidance measures and remedial actions if the avoidance measures are not successful. Nest locations are to be mapped using GPS technology and submitted, along with a weekly report stating the survey results, to the Compliance Project Manager (CPM). The DB is to monitor the nest until he determines that nestlings have fledged and dispersed; activities that might, in the opinion of the DB, disturb nesting activities, are to be prohibited within the buffer zone until such a determination is made. No less than 2 days prior to the start of any ground disturbing activities or construction equipment staging, the project owner is to provide the CPM a letter-report describing the findings of the preconstruction nest surveys, including the time, date, and duration of the survey; identity and qualifications of the surveyor(s); and a list of species observed.

A survey for nesting birds was performed for the MEP site and linear facilities (and surrounding areas) and submitted to the CEC on May 27, 2011, in anticipation of an early June 2011 start date. Included with the survey report was the bird nest monitoring plan. The DB and BMs performed the preconstruction surveys following standard survey techniques. Based on the surveys conducted in August 2011, all known nests were no longer active, and this was reported in the weekly nesting update submittal dated August 18, 2011. In July 2012, weekly monitoring included surveys for any birds or nests that might be present within construction areas and their buffer zones; no nests were observed within the construction sites or the wildlife exclusion fencing. On July 11, the DB observed that the barn swallow (*Hirundo rustica*) located in the laydown yard inside a tool shed had abandoned its nest due to unknown reasons. The previously active nest had been successfully avoided by the project up until the determination of nest failure by the DB.

2.1.4 BIO-9

BIO-9 requires that the project owner implement measures to manage their construction site, and related facilities, in a manner to avoid or minimize impacts to listed fairy shrimp or tadpole shrimp species and habitat. Avoidance and minimization measures are to include a buffer zone of 250 feet or the limit of the immediate watershed supporting the seasonal wetland (whichever is larger) around all known and potentially occupied branchiopod habitat. The buffer zone is to be delineated with temporary fencing. The fencing must be kept in good repair and remain installed for the duration of MEP construction. If this buffer zone is not feasible for any potential habitat, a buffer zone may be delineated in consultation with CDFG and USFWS. The BM will be onsite during all ground disturbing work within 250 feet of potential branchiopod habitat, and will oversee all off-road vehicle access for the

project. To the extent possible, construction of the linear projects will occur during the dry summer season to minimize the potential for indirect effects on nearby branchiopod habitat.

A reduced buffer zone of 25 feet along the transmission line corridor was approved by the USFWS in the Biological Opinion. The buffer zone was delineated with worker exclusion fence (BIO-7) on June 14, 2011. By May 23, 2012, all work within the transmission line work corridor was completed including removal of temporary worker exclusion fence. Therefore, no impacts to branchiopod habitat are anticipated for the remainder of construction of MEP.

2.1.5 BIO-10

BIO-10 requires a CPM (in consultation with the USFWS and CDFG)-approved California red-legged frog (CRLF) and California tiger salamander (CTS) management plan that presents measures to manage the construction site, and related facilities, in a manner to avoid and minimize impacts to CRLF and CTS. The measures are to include at a minimum: avoidance; exclusionary fencing; clearance surveys; burrow avoidance along linear routes; daily checks for CRLF and CTS under equipment; seasonal work restrictions; habitat avoidance; speed limits; road mortality monitoring along Bruns Road; implementation of SWPPP BMPs; and installation of a perimeter barrier around the MEP site during plant operations. No less than 30 days prior to the start of any project-related ground disturbance, the project owner is to provide the final Management Plan to the CPM, CDFG, and USFWS. The final, approved Management Plan must be incorporated into the BRMIMP within 10 days of completion of the plan, and implemented. Within 60 days of completion of the permanent power plant site fence, the project owner is to submit a figure and photographs to the CPM, CDFG, and USFWS of the CTS and CRLF barrier fence.

The management plan was submitted to the CPM and USFWS on June 8, 2011. Preconstruction surveys associated with the fire pump foundation work and water line construction for CRLF and CTS were completed on May 27, May 31, and June 14, 2011. Additional preconstruction surveys associated with the progression of the wildlife exclusion fence (BIO-7) at the MEP site occurred on June 6, June 11, June 21, and June 25, 2011. Preconstruction surveys associated with the installation of utility poles and wiring by PG&E for the temporary power supply to the trailer village were performed on September 1. A preconstruction survey associated with extension of the wildlife exclusion fence to incorporate the area for the PG&E natural gas pipeline was conducted on September 29. Additional preconstruction surveys of the transmission line corridor were conducted on September 2 and 6. Because construction of the transmission line corridor was completed by May 23, 2012, surveys for CRLF or CTS will no longer be needed for this area of the project.

During July construction, no CRLF or CTS were observed during biological monitoring by the DB. The wildlife exclusion fence installed around the gas pipeline corridor was removed as part of pipeline completion on June 7, 2012. Therefore, CRLF and CTS surveys within this area were no longer necessary for the remainder of the project. The DB was onsite weekly during construction activities and verified project compliance with BIO-10.

2.1.6 BIO-11

Requires direct impacts avoidance to western pond turtle (WPT) by implementing preconstruction surveys concurrent with the CRLF and CTS preconstruction surveys

(BIO-10). WPT must be avoided to the extent possible and avoidance areas are to be delineated by exclusionary fencing. If WPTs are found within the project disturbance area that cannot be avoided, the animal must be relocated to the CPM (in consultation with CDFG)-approved relocation site. The project owner is to submit a report to the CPM and CDFG no less than 10 days prior to the start of any ground disturbing activities or construction equipment staging that describes when surveys were completed, observations, and proposed impact minimization measures. Within 30 days after completion of construction of the project linears, the project owner is to provide to the CDFG and CPM a written construction termination report identifying how impact minimization measures have been completed.

Preconstruction surveys associated with the fire pump foundation work and water line construction for WPT were completed on May 27, May 31, and June 14, 2011. Additional preconstruction surveys associated with the progression of the wildlife exclusion fence (BIO-7) at the MEP site occurred on June 6, June 11, June 21, and June 25, 2011. Preconstruction surveys associated with the installation of utility poles and wiring by PG&E for the temporary power supply to the trailer village were performed on September 1. A preconstruction survey associated with extension of the wildlife exclusion fence to incorporate the area for the PG&E natural gas pipeline was conducted on September 29. Additional preconstruction surveys of the transmission line corridor were conducted on September 2 and 6, and December 16, 2011.

During July construction, no WPTs were observed during biological monitoring by the DB. The DB was onsite weekly during construction activities and verified project compliance with BIO-11.

2.1.7 BIO-12

BIO-12 requires the project owner to implement the measures to manage their construction site, and related facilities, in a manner to avoid or minimize impacts to breeding and foraging burrowing owls (BUOW). These measures include: preconstruction surveys; avoidance measures such as buffer zones and monitoring; and implementation of a CPM (in consultation with CDFG)-approved BUOW management plan. The DB is to provide the CPM and CDFG preconstruction survey results within 10 days of the completion of the survey. If preconstruction surveys detect BUOW within 500 feet of proposed construction activities, the DB is to provide to the CPM and CDFG documentation indicating that non-disturbance buffer fencing has been installed no less than 10 days prior to the start of any project-related site disturbance activities. The documentation must include both a figure and photographs showing the location of the fencing. If preconstruction surveys detect BUOW or active BUOW burrows within the project disturbance area, the project owner must provide to the CPM and CDFG a final Burrowing Owl Mitigation Plan no less than 10 days prior to the start of construction. The measures described in the plan must be incorporated into the BRMIMP no less than 10 days of completion of the plan, and implemented. The project owner is to report monthly to the CPM and CDFG for the duration of construction on the implementation of BUOW avoidance and minimization measures. Within 30 days after completion of construction the project owner must provide to the CDFG and CPM a written construction termination report identifying how mitigation

measures, including those measures described in the plan if a plan was required, have been completed.

The BUOW management plan was submitted to the CPM on April 24, 2011. A total of six active burrowing owl burrows were detected within 500 feet of the project area during preconstruction surveys (BIO-8). Of these, five of the burrows were within 250 feet of the project. Worker exclusionary fencing (BIO-7) was installed at least 250 feet from each of the five burrows and each breeding pair was monitored at a minimum weekly (described in the weekly bird nest monitoring reports) during project construction. Two breeding pairs that occurred within the proposed 9.2-acre laydown area were determined to have abandoned the burrows on June 30, 2011; therefore, both burrows in coordination with the CPM and CDFG were fitted with one-way doors on July 5 (passive relocation) and subsequently excavated by hand and collapsed by the BM to prevent reoccupation on July 8. The owlets associated with a breeding pair located along the proposed MEP access road were determined to have fully fledged on July 13, 2011. Therefore, in accordance with the CEC and CDFG-approved management plan, the DB commenced passive relocation on July 15 and subsequently collapsed the burrow to prevent reoccupation. Since these activities, no BUOW have been detected within the construction sites or within the wildlife exclusion fencing.

One-way doors installed on burrows near the Byron Cogen facility remained in place during July 2012. The doors were inspected regularly to ensure they remained in place and in good repair; no sign of BUOW was observed in this area. On a few of the blocked burrows, squirrels have dug holes around the doors, and are utilizing these burrows. It was decided not to interfere with this squirrel use, but simply to monitor these burrows for possible use by BUOW.

BUOWs were observed in March 2012 in the pastures outside and east of the transmission line work corridor and north of Kelso Road. Owls and their sign (white wash and pellets) were observed at multiple burrow locations as close as approximately 70 feet from worker exclusion fence. The BM observed potential signs of nest building on March 22, including pieces of cow dung at one of the burrow entrances. Because the owls occupied the adjoining lands concurrent with project activities, transmission line construction did not adversely affect BUOWs. Because transmission line work was completed in May, the monitoring of BUOWs that are located outside the project area has been discontinued.

The DB ensured that all site work that occurred during July avoided BUOWs. The DB was onsite weekly during construction activities and verified project compliance with BIO-12.

2.1.8 BIO-13

BIO-13 requires the avoidance of direct impacts to American badgers (AMBA) by implementing preconstruction surveys concurrent with the San Joaquin kit fox (SJKF) and BUOW preconstruction surveys. The DB must perform preconstruction surveys for AMBA dens in the project area, including areas within 200 feet of all project facilities, utility corridors, and access roads. If dens are detected each den is to be classified as inactive, potentially active, or definitely active. Den avoidance, monitoring, and destruction methods must adhere to those prescribed for SJKF avoidance and minimization (BIO-14). The project owner is to submit a report to the CPM and CDFG no less than 10 days prior to the start of

any ground disturbing activities or construction equipment staging that describes when surveys were completed, observations, and proposed impact minimization measures. Within 30 days after completion of construction of the project, the project owner must provide to the CDFG and CPM a written construction termination report identifying how impact minimization measures have been completed.

The initial AMBA preconstruction survey occurred on May 31, 2011, and several follow-up surveys occurred associated with the progression of wildlife exclusion fencing (BIO-7). No AMBA or their sign (scat or tracks) were observed during preconstruction surveys. A total of nine potential SJKF dens, which were also considered potentially suitable for AMBA, were detected during the May 31 survey within 200 feet of the project. Seven of the nine burrows excavated by the DB and/or BMs in June and July 2011 were determined to be unoccupied by SJKF and AMBA, thus they were subsequently backfilled to prevent future occupation by both species. Consistent with the USFWS survey protocol, the other two potential kit fox dens were not excavated because they occur greater than 50 feet from the project site.

During July, no sign of SJKF or AMBA use was observed at any burrow and no individuals were either observed or reported in the project area. The DB was onsite weekly during construction activities and verified project compliance with BIO-13.

2.1.9 BIO-14

BIO-14 requires the project owner to prepare and implement a SJKF Management Plan that includes the following measures, developed in cooperation with USFWS and CDFG: preconstruction surveys; exclusion zones; avoidance measures related to destruction of dens; and avoidance and minimization measures related to construction and operational activities. The project owner is to submit to the CPM, CDFG, and USFWS the final SJKF Management Plan no less than 30 days prior to the start of ground disturbing activities or construction equipment staging. The mitigation measures in the plan must be incorporated into the BRMIMP within 10 days of completion of the plan, and implemented. The project owner is to submit a report to the CPM and CDFG at least 10 days prior to the start of any ground disturbing activities or construction equipment staging that describes when surveys were completed, observations, and proposed minimization measures. No less than 30 days after completion of construction of the project linears, the project owner must provide to the USFWS, CDFG, and CPM a written construction termination report identifying how impact minimization measures in the plan have been completed.

The SJKF management plan was submitted to the CPM and USFWS on April 25, 2011. The initial SJKF preconstruction survey occurred on May 31, 2011, and several follow-up surveys associated with the progression of wildlife exclusion fencing (BIO-7) occurred during June 2011. No SJKF or their sign (scat or tracks) were observed during preconstruction surveys. A total of nine potential SJKF dens were detected during the May 31 survey. In accordance with the management plan and USFWS Biological Opinion, seven burrows were excavated carefully by the DB and/or BMs in June and July 2011 were determined to be unoccupied by SJKF and AMBA, thus they were subsequently backfilled to prevent future occupation by both species.

No SJKF were observed or reported in the project area during July 2012. The DB was onsite weekly during construction activities and verified project compliance with BIO-14.

2.1.10 BIO-15

BIO-15 requires that if construction occurs during the SWHA breeding season (March through August), a preconstruction nest survey must be conducted within 30 days prior to the beginning of construction activities by a qualified biologist in order to identify active nests in the project site vicinity. Surveys are to be conducted according to the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*. If active nests are found within 0.5 mile of the project disturbance area, an initial temporary nest disturbance buffer must be established. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season (approximately March 1 and September 1), then a biologist experienced with raptor behavior must be retained by the project owner to monitor the nest, and must, along with the project owner, consult with the CPM and CDFG to determine the best course of action necessary to avoid nest abandonment or take of individuals. The DB or BM approved for raptor monitoring must be onsite daily while construction related activities are taking place and must have the authority to stop work if raptors are exhibiting agitated behavior. In consultation with the CPM and CDFG and depending on the behavior of the raptors, over time it may be determined that the onsite biologist/monitor may no longer be necessary due to the raptors' acclimation to construction related activities. The project owner must submit a report to the CPM and CDFG no less than 10 days prior to the start of any ground disturbing activities or construction equipment staging, that describes when SWHA surveys were completed, identification and qualifications of the biologist conducting the surveys, observations, and, if required, updates to the BRMIMP based upon findings.

A single active SWHA nest was observed during preconstruction surveys (BIO-8) approximately 0.48 mile west of the MEP site in early summer 2011. Because the project lies within 0.5 mile of the nest site, the DB consulted with CEC and CDFG on June 10, 2011, and was authorized to reduce the avoidance buffer from 0.5 to 0.48 mile. During daily monitoring that followed, it was determined by the DB that the nesting pair due to undetermined natural causes abandoned the nest site. The DB and/or BMs monitored the abandoned nest site weekly thereafter for any signs of re-occupancy. Potential nesting activity was observed on April 24, 2012, at the 2011 nest site, but during follow-up surveys extending into May 2012, the DB found that the birds vacated the site for unknown reasons. The DB was onsite weekly during construction activities and verified project compliance with BIO-15.

2.1.11 BIO-17

BIO-17 requires avoidance and minimization of impacts to wetlands and waters. No less than 10 days prior to ground disturbance, the project owner must provide the CPM, CDFG, and USFWS with a report identifying the location of any protective fencing, including a figure and photographs that show the fencing. If bentonite will be used, an Emergency Spill Response Plan, a "Frac-out" Monitoring Plan, and a Biological Monitoring Plan must be submitted to the CDFG for review and comment and to the CPM for approval no less than 30 days prior to the start of project ground-disturbing activities. Plan approval must be obtained before construction using bentonite may commence. The project owner must

report monthly to the CPM, CDFG, and USFWS for the duration of construction on the implementation avoidance and minimization measures. Within 30 days after completion of construction the project owner must provide to the USFWS, CDFG, and CPM a written construction termination report identifying how mitigation measures have been completed.

Starting on June 14, 2011, wildlife exclusion fencing and worker exclusion fencing (BIO-7) were installed for the protection of wetland and waters. No bentonite will be used during project construction; therefore, a frac-out monitoring plan will not be necessary. Minor impact to Drainage 2a (D-2a) and Erosional Feature 1 (E-1) consisting of overland travel by PG&E line trucks accessing Pole #8 occurred on May 8, 2012. The trench plates at D-2a and E-1 were temporarily removed by the project prior to May 8, as it was not anticipated that PG&E would be onsite. The affected area at D-2a and E-1 were tire impressions and minimal rutting due to the loose and dry texture of the soils. The shallow ruts were smoothed over by the DB using footed boot. No other impacts to wetlands and other jurisdictional waters occurred during May. Before PG&E reentered the Pole #8 work site, on May 18, 2012 trench plates were reinstalled at D-2a and E-1. Construction work along the transmission line corridor continued to avoid Swale 1 (SW-1) and Swale 2 (SW-2). Plates were reinstalled at SW-1 and SW-2 in January 2012. As part of transmission line completion, the plates at SW-1 and SW-2 were removed March 13-14, 2012, and those at D-2a and E-1 were removed on May 22, 2012.

The DB was onsite weekly during construction activities and verified project compliance with BIO-17, USACE Nationwide Permit, and RWQCB Water Quality Certification.

2.2 Worker Environmental Awareness Program

The WEAP was developed exclusively for MEP. Program materials include a worker handbook, training video, posted speed limit signs and sensitive species awareness supporting posters. As required by the CEC COC BIO-5, all new employees must attend the WEAP. A total of 29 personnel received WEAP training in July. The onsite deputy Environmental Compliance Manager (ECM) administered the WEAP training to new employees. Copies of the signed training logs are kept on file at the construction site.

SECTION 3

Summary of Site Activities and Monitoring Observations

This section provides a weekly summary of July project activities and associated biological monitoring. A cumulative wildlife species list is included in Appendix A. During July, the DB was onsite weekly during project construction. Only weekly inspections were required as all project work during the month of July was confined to the MEP site (i.e., inside the wildlife exclusionary fence).

The DB completed logs summarizing activities, personal interactions, and observations made during each site visit. Monitoring visits by the DB were conducted to document permit compliance. These logs are available on request. Representative photographs are included in Appendix B. Wildlife Observation Forms completed by the DB and/or site personnel when wildlife was directly encountered during construction activities in July are included below in Appendix C.

Beginning in February, and continuing into July 2012, the prime contractor (LG Constructors) and its subcontractors worked six days per week and Sundays as needed. The DB was onsite one day per week during the month of July as construction activities were limited to the MEP site.

3.1 Week 58 (July 2–6)

All project work during Week 58 remained within the boundaries of the MEP site. During Week 58, grade work at the MEP site; completion of onsite storm drains; and installation of the perimeter security fence occurred. Demobilization by site subcontractors from the temporary laydown area also occurred in preparation for site restoration. Troubleshooting, testing, and repairs to the new chillers were ongoing, as well as general commissioning of the new power plant.

All site disturbances remained inside the approved work boundary, which was delineated by the wildlife exclusion fencing. During the weekly inspection of the wildlife exclusionary fence around the MEP site, the DB made minor repairs from damage caused by strong winds and holes made underneath the fence by ground squirrels. No special-status species, including BUOW, CRLF, CTS, SJKF, AMBA, or WPT, were observed or reported within the construction site during Week 58. During Week 58, the project complied with all biological resources COCs and conditions of the USACE, USFWS, and RWQCB permits.

3.2 Week 59 (July 9–13)

All project work during Week 59 remained within the boundaries of the MEP site. During Week 59, installation of the perimeter security fence continued, which also included a new gate at Bruns Road. Demobilization by site subcontractors from the temporary laydown area

also occurred in preparation for site restoration. Troubleshooting, testing, and repairs to the new chillers were ongoing, as well as general commissioning of the new power plant.

On July 11, the DB determined during the weekly site inspection that the barn swallows nesting within the laydown yard in a subcontractor's tool shed had abandoned their nest containing four eggs. Up until this time, the nest was successfully being avoided by project construction. The cause of nest failure was unknown. Because the shed was no longer occupied by nesting birds, the shed was released for demolition as part of contractor demobilization from the laydown yard.

All site disturbances remained inside the approved work boundaries. During the weekly inspection, the DB made minor repairs from damage caused by strong winds and holes made underneath the fence by ground squirrels. Approved work boundaries were delineated by the wildlife exclusion fencing. No special-status species, including BUOW, CRLF, CTS, SJKF, or AMBA, were observed or reported within the construction site during Week 59. During Week 59, the project complied with all biological resources COCs and conditions of the USACE, USFWS, and RWQCB permits.

3.3 Week 60 (July 16–20)

The majority of project work during Week 60 remained within the boundaries of the MEP site. However, on July 19, PG&E was onsite unannounced in the gas line corridor installing crushed rock within their new fenced valve lot. The PG&E crew was periodically monitored by the Deputy Environmental Compliance Manager (ECM) who noted no issues or concerns. Within the project site, demobilization by site subcontractors from the temporary laydown area also continued in preparation for site restoration. Troubleshooting, testing, and repairs to the new chillers remained ongoing, as well as general commissioning of the new power plant.

On July 18, a dead California ground squirrel (*Spermophilus beechyi*) was observed by a site worker on the main access road between Bruns Road and the main site. The cause of death was unknown, but could have been by vehicle mortality given the location of the occurrence. The Deputy ECM, Stephanie Moore, removed the carcass to an offsite location in the nearby grassland so as to not attract scavenging wildlife to the project area. A Wildlife Observation Form documenting this encounter is included in Appendix C.

On July 19, a site worker observed an injured gull (*Larus* sp.) within the temporary laydown area. Before the worker could approach the bird to further assess its condition, the animal died. Ms. Moore removed the carcass to an offsite location in the nearby grassland so as to not attract scavenging wildlife to the project area. A cause of death could not be determined (Appendix C).

On July 20, a site worker observed a dead sparrow-like bird on the main site in the vicinity of one of the new turbines. Upon closer inspection by the DB, the bird was determined to be a juvenile European starling (*Sturnus vulgaris*). There were earlier reports that a bird got entrained by an air intake above where the carcass was found, but this could not be confirmed. The carcass was put in a trash can (Appendix C).

All site disturbances remained inside the approved work boundary, which was delineated by the wildlife exclusion fencing. During the weekly inspection of the wildlife exclusionary fence around the MEP site the DB made minor repairs from damage caused by strong winds and holes made underneath the fence by ground squirrels. No special-status species, including BUOW, CRLF, CTS, SJKF, or WPT, were observed or reported within the construction site during Week 60. During Week 60, the project complied with all biological resources COCs and conditions of the USACE, USFWS, and RWQCB permits.

3.4 Week 61 (July 23–27, 30-31)

All project work during Week 61 remained within the boundaries of the MEP site. During Week 61, demobilization by site subcontractors from the temporary laydown area continued as well as troubleshooting, testing, and repairs to the new chillers.

On July 30, two house finches (*Carpodacus mexicanus*) were found trapped inside a lube oil cooler skid by site workers. The Deputy ECM assisted the workers in hazing the birds out of the skid unharmed (Appendix C). On July 31, a stray dog (*Canis domesticus*) entered the project site. Because the rightful owner of the dog could not be determined, Alameda County Animal Control Services was contacted and responded to the site to remove the animal from the property.

All site disturbances remained inside the approved work boundary, which was delineated by the wildlife exclusion fencing. During the weekly inspection of the wildlife exclusionary fence around the MEP site, the DB made minor repairs from damage caused by strong winds and holes made underneath the fence by ground squirrels. No special-status species, including BUOW, CRLF, CTS, SJKF, or WPT, were observed or reported within the construction site during Week 61. During Week 61, the project complied with all biological resources COCs and conditions of the USACE, USFWS, and RWQCB permits.

Appendix A
Cumulative Wildlife Species Observed In or Near the Project Area

APPENDIX A

Cumulative Wildlife Species Observed In or Near the Project Area

TABLE A-1
Cumulative (Vertebrate) Wildlife Species Observed In or Near the MEP Area

Common Name	Scientific Name
Birds	
Mallard	*Anas platyrhynchos*
Great blue heron	*Ardea herodias*
Turkey vulture	*Cathartes aura*
White-tailed kite	*Elanus leucurus*
Northern harrier	*Circus cyaneus*
Red-tailed hawk	*Buteo jamaicensis*
Swainson's hawk	*Buteo swainsoni*
American kestrel	*Falco sparverius*
Killdeer	*Charadrius vociferus*
Common snipe	*Gallinago gallinago*
Gull	*Larus* sp.
Rock dove (*exotic*)	*Columba livia*
Mourning dove	*Zenaida macroura*
Barn owl	*Tyto alba*
Burrowing owl	*Athene cunicularia*
Black phoebe	*Sayornis nigricans*
Loggerhead shrike	*Lanius ludovicianus*
Western scrub-jay	*Aphelocoma californica*
American crow	*Corvus brachyrhynchos*
Common raven	*Corvus corax*
Horned lark	*Eremophila alpestris*
Cliff swallow	*Petrochelidon pyrrhonota*
Barn swallow	*Hirundo rutica*
Northern mockingbird	*Mimus polyglottos*
European starling (*exotic*)	*Sturnus vulgaris*
Red-winged blackbird	*Agelaius phoeniceus*
Tricolored blackbird	*Agelaius tricolor*
Brewer's blackbird	*Euphagus cyanocephalus*
Western meadowlark	*Sturnella neglecta*
Brown-headed cowbird	*Molothrus ater*
House finch	*Carpodacus mexicanus*
House sparrow (*exotic*)	*Passer domesticus*
Mammals	
Red fox *(exotic)*	*Vulpes vulpes*
American badger	*Taxus taxidea*
Black-tailed hare	*Lepus californicus*
California ground-squirrel	*Spermophilus beecheyi*
Audubon's cottontail	*Sylvilagus audubonii*
California pocket mouse	*Chaetodipus californicus*
Botta's pocket gopher	*Thomomys bottae*
Coyote	*Canis latrans*
Dog	*Canis domesticus*
Reptiles	
California kingsnake	*Lampropeltis getula californiae*
Pacific gopher snake	*Pituophis catenifer catenifer*
Western fence lizard	*Sceloporus occidentalis*
Western pond turtle	*Actinemys marmorata*
Amphibians	
Western toad	*Bufo boreas*
Pacific tree frog (formerly Chorus frog)	*Pseudaris sierra* (formerly *Pseudacris regilla*)

Appendix B
Representative Site Photographs

APPENDIX B

Representative Site Photographs

PHOTO 1
View south at the MEP site of perimeter security fence installation.
Photo taken: July 2, 2012

PHOTO 2
View east from Bruns Road of the new entrance gate to the Lee Property.
Photo taken: July 16, 2012

PHOTO 3
View of the dead gull found at the laydown yard.
Photo taken: July 19, 2012

PHOTO 4
View south of demobilization from the temporary laydown yard.
Photo taken: July 27, 2012

Appendix C
Wildlife Observation Forms

WILDLIFE OBSERVATION FORM

To Record Animals Found In Mariposa Energy Project Work Areas

To be filled out by personell who find active nest sites and burrows, dens, and dead or injured wildlife, or other biological resources during daily construction activities.

Name of employee: GARY NORMOYLE

Date: 7.18.12

Location of observation: ACCESS ROAD FROM LAYDOWN YARD

Wildlife Species: SQUIRREL

Condition of wildlife:

alive [ ] dead [X]

Possible cause of injury or death:

UNKNOWN, POSSIBLY NATURAL

Where is the animal currently? THE SQUIRREL WAS MOVED OFFSITE BY THE DEPUTY COMPLIANCE MANAGER.

Is the resource in danger of project (or other) impacts?

NO

Comments:

NONE

Please contact the Designated Biologist for questions and to report any wildlife, nest, or den in the project area that could be disturbed. The Designated Biologist will advise personnel on measures required by California Department of Fish and Game (CDFG) and United States Fish and Wildlife Service (USFWS) to protect fish, wildlife and vegetation from construction impacts.

DESIGNATED BIOLOGIST: Todd Ellwood Cell (408) 839-2402 Office (415) 541-7220
BIOLOGICAL FIELD MONITORS: TBD

COMPANY: CH2MHILL ADDRESS: 2485 Natomas Park Drive, St. 600

WILDLIFE OBSERVATION FORM

To Record Animals Found In Mariposa Energy Project Work Areas

To be filled out by personell who find active nest sites and burrows, dens, and dead or injured wildlife, or other biological resources during daily construction activities.

Name of employee: CHARLIE /AZCO

Date: 7. 19. 12

Location of observation: OUTSIDE AZCO TRAILER, NEAR HILL DOWN TO COLLINS LAYDOWN YARD

Wildlife Species: SEAGULL

Condition of wildlife:

alive [ ] dead [X]

Possible cause of injury or death:

UNKNOWN, POSSIBLY NATURAL

Where is the animal currently? DEPUTY COMPLIANCE MANAGER MOVED THE ANIMAL OFF-SITE, PAST THE T-LINE CORIDOR

Is the resource in danger of project (or other) impacts?

NO

Comments:

NONE

Please contact the Designated Biologist for questions and to report any wildlife, nest, or den in the project area that could be disturbed. The Designated Biologist will advise personnel on measures required by California Department of Fish and Game (CDFG) and United States Fish and Wildlife Service (USFWS) to protect fish, wildlife and vegetation from construction impacts.

DESIGNATED BIOLOGIST: Todd Ellwood Cell (408) 839-2402 Office (415) 541-7220
BIOLOGICAL FIELD MONITORS: TBD

COMPANY: CH2MHILL ADDRESS: 2485 Natomas Park Drive, St. 600

WILDLIFE OBSERVATION FORM

To Record Animals Found In Mariposa Energy Project Work Areas

To be filled out by personell who find active nest sites and burrows, dens, and dead or injured wildlife, or other biological resources during daily construction activities.

Name of employee: ROBERT ROBANCHO /DGC

Date: 7.20.12

Location of observation: UNIT 600 NEAR INTAKE

Wildlife Species: JUVENILE SPARROW

Condition of wildlife:

alive [ ] dead [X]

Possible cause of injury or death: UNKNOWN

Where is the animal currently? THE ANIMAL WAS PLACED IN THE GARBAGE DUMPSTER

Is the resource in danger of project (or other) impacts? NO

Comments: NONE

Please contact the Designated Biologist for questions and to report any wildlife, nest, or den in the project area that could be disturbed. The Designated Biologist will advise personnel on measures required by California Department of Fish and Game (CDFG) and United States Fish and Wildlife Service (USFWS) to protect fish, wildlife and vegetation from construction impacts.

DESIGNATED BIOLOGIST: Todd Ellwood Cell (408) 839-2402 Office (415) 541-7220
BIOLOGICAL FIELD MONITORS: TBD

COMPANY: CH2MHILL ADDRESS: 2485 Natomas Park Drive, St. 600

WILDLIFE OBSERVATION FORM

To Record Animals Found In Mariposa Energy Project Work Areas

To be filled out by personell who find active nest sites and burrows, dens, and dead or injured wildlife, or other biological resources during daily construction activities.

Name of employee:
DAN BAVERY

Date:
7.30.12

Location of observation:
UNIT 800 LUBE OIL COOLER SKID

Wildlife Species: HOUSE FINCH

Condition of wildlife:

alive [X] dead [ ]

Possible cause of injury or death:
N/A

Where is the animal currently?
FLEW AWAY

Is the resource in danger of project (or other) impacts?
NO

Comments:
TWO HOUSE FINCHES WERE TRAPPED INSIDE THE LUBE OIL COOLER SKID AT UNIT 800. DAN CALLED THE DEPUTY COMPLIANCE MANAGER AND THEY FUNNELED THE BIRDS OUT THE OPEN DOOR.

Please contact the Designated Biologist for questions and to report any wildlife, nest, or den in the project area that could be disturbed. The Designated Biologist will advise personnel on measures required by California Department of Fish and Game (CDFG) and United States Fish and Wildlife Service (USFWS) to protect fish, wildlife and vegetation from construction impacts.

DESIGNATED BIOLOGIST: Todd Ellwood Cell (408) 839-2402 Office (415) 541-7220
BIOLOGICAL FIELD MONITORS: TBD

COMPANY: CH2MHILL ADDRESS: 2485 Natomas Park Drive, St. 600

WILDLIFE OBSERVATION FORM

To Record Animals Found In Mariposa Energy Project Work Areas

To be filled out by personell who find active nest sites and burrows, dens, and dead or injured wildlife, or other biological resources during daily construction activities.

Name of employee: TIM CASEY / LG

Date: 7.31.12

Location of observation: CHILLERS

Wildlife Species: AMERICAN ESKIMO DOG

Condition of wildlife:

alive [X] dead [ ]

Possible cause of injury or death: UNKNOWN

Where is the animal currently?

THE ALAMEDA COUNTY ANIMAL SHELTER WAS CALLED TO PICK UP THE DOG AND BROUGHT IT TO THE SHELTER IN DUBLIN.

Is the resource in danger of project (or other) impacts? NO

Comments: THE DOG WAS FOUND ON-SITE DURING THE NIGHT AND WAS REPORTED TO THE DEPUTY COMPLIANCE MANAGER IN THE MORNING. THE DOG DID NOT BELONG TO ANYONE ON-SITE. THE DOG HAD AN INJURED BACK LEG AND A COLLAR BUT NO TAGS. IT IS UNKNOWN IF THE DOG RAN AWAY OR WAS DUMPED BY THE OWNER.

Please contact the Designated Biologist for questions and to report any wildlife, nest, or den in the project area that could be disturbed. The Designated Biologist will advise personnel on measures required by California Department of Fish and Game (CDFG) and United States Fish and Wildlife Service (USFWS) to protect fish, wildlife and vegetation from construction impacts.

DESIGNATED BIOLOGIST: Todd Ellwood Cell (408) 839-2402 Office (415) 541-7220
BIOLOGICAL FIELD MONITORS: TBD

COMPANY: CH2MHILL ADDRESS: 2485 Natomas Park Drive, St. 600

Cultural Resources Monthly Reports

Monthly Report of Cultural Resources Monitoring Activities for the Mariposa Energy Project – July 2012; Condition of Certification CUL-6

PREPARED FOR: Bo Buchynsky/Mariposa Energy, LLC
James Spicer/Mariposa Energy, LLC
Stephanie Moore/CH2M HILL
Keith McGregor/CH2M HILL
Doug Urry/CH2M HILL

PREPARED BY: Clint Helton/CRS

REPORTING FOR PERIOD: July 2012

This report covers cultural resources monitoring activities at MEP for the month of July 2012, as required by Conditions of Certification CUL-6.

Personnel Active in Cultural Monitoring This Period

Cultural Resources Specialist (CRS) Clint Helton was on-call this month.

Monitoring and Associated Activities This Period

No monitoring occurred this month. As per CUL-6, monitoring will be required if discovery of a CRHR-eligible cultural resource occurs.

Cultural Resources Discoveries This Period

No new cultural resources discoveries were made this month.

Anticipated Changes in the Next Period

The CRS will remain on-call to respond to discoveries if they occur.

Comments, Issues, or Concerns

None.

Paleontological Resources Monitoring Report

Mariposa Energy Project (MEP) Condition of Certification PAL-5; Paleontological Resources Monitoring Report for Construction – July, 2012

PREPARED FOR: Bo Buchynsky/Mariposa Energy, LLC
James Spicer/Mariposa Energy, LLC
Stephanie Moore/CH2M HILL
Keith McGregor/CH2M HILL
Doug Urry/CH2M HILL

PREPARED BY: Levi Pratt, Staff Paleontologist
W. G. Spaulding, Paleontological Resources Specialist (PRS)

DATE: August 5, 2012

This paleontological resources monthly compliance report (MCR) for the MEP covers the period of July, 2012.

Personnel On Call for Paleontological Monitoring This Period:

Jaspal Saini- Paleontological Resources Monitor (PRM)
Levi Pratt- PRM

Training Conducted This Month

All new construction personnel attended the CEC approved Worker Environmental Awareness Program (WEAP) training prior to working on this project.

Monitoring Conducted This Month

No excavations occurred in paleontologically sensitive areas. Because no paleontologically sensitive sediments were affected this last month, no paleontological resources monitoring was conducted.

Changes In the Future

No changes to the current paleontological resources monitoring schedule are necessary. Once ground disturbance is complete, a Paleontological Resources Report (PRR) will be prepared (PAL-7).

Paleontological Discoveries This Month

No paleontological resources were encountered during this reporting period.

Comments, Issues or Concerns

No issues or concerns were encountered during this period.

Stormwater Management Monthly Report

Monthly Summary of the Drainage, Erosion, and Sediment Control Plan Implementation for the Mariposa Energy Project – July 2012 (Condition of Certification SOIL&WATER-1)

PREPARED FOR: Bo Buchynsky/Mariposa Energy, LLC
James Spicer/Mariposa Energy, LLC

PREPARED BY: Mieke Sheffield/CH2M HILL

COPIES: Keith McGregor/CH2M HILL
Doug Urry/CH2M HILL
Stephanie Moore/CH2M HILL

DATE: August 8, 2012

The California Energy Commission (CEC) Condition of Certification SOIL&WATER-1 requires an analysis of the effectiveness of the drainage-, erosion-, and sediment-control measures and the results of the monitoring and maintenance activities. The purpose of this technical memorandum is to summarize the effectiveness of the drainage, erosion, and sediment control measures implemented for the Mariposa Energy Project and the results of associated monitoring and maintenance activities during July 2012.

Construction activities during this month continued with emphasis on establishing final grade, final grading of stormwater drainage ditches and stormwater detention basin (plus construction of associated controls), start-up, and commissioning activities. Additional portions of the base rock and fabric that is covering the stored topsoil stockpile (the laydown area) were also removed.

Vegetation continues to be patchy at the gas pipeline area hydroseeded on February 27, 2012, areas along the eastern fenceline, and the northeast property corner. The area will be monitored for signs of erosion and additional Best Management Practices (BMPs) implemented as needed.

The site received no precipitation during the month of July 2012.

The QSP designee continued to monitor adherence to good housekeeping practices and implementation/maintenance of BMPs as outlined in the project's Drainage, Erosion, and Sediment Control Plan (DESCP) and Stormwater Pollution Prevention Plan (SWPPP). No amendments to the DESCP/SWPPP were needed this month.

A Change of Information was submitted to the State Water Resources Control Board's Storm Water Multiple Application and Report Tracking System to amend the project completion date to March 1, 2013. In addition, the Owner Contact and Site Contact information was updated.

Site inspections were conducted prior to a forecasted rain event of 50 percent or greater, every 24 hours during extended rain events, and/or weekly by the project's QSD or QSP designee (i.e., site visits were conducted on July 5, 16, and 27, 2012). An inspection was not conducted the week of July 6, 2012, due to scheduling issues.

Any concerns noted with BMP implementation/maintenance were communicated to the responsible contractor and correction of the issues was monitored by the QSP designee. The following issues were documented during the site inspections:

July 5, 2012:

- Repair silt fence south end of laydown area and near entrance *(Note: repairs are made but heavy winds continuously damage the silt fence)*
- Place sediment controls at drain inlets
- Provide secondary containment for 55-gallon drums stored outside of the warehouse
- Provide secondary containment for container of sodium hypochlorite
- Pick up litter at laydown area

July 16, 2012:

- Repair silt fence south end of laydown area *(Note: repairs are made but heavy winds continuously damage the silt fence)*
- Place sediment controls at drain inlets
- Provide secondary containment for 55-gallon drums stored outside of the warehouse
- Provide secondary containment for container of sodium hypochlorite
- Pick up litter at laydown area

July 27, 2012:

- Repair silt fence south end of laydown area and near entrance *(Note: repairs are made but heavy winds continuously damage the silt fence)*
- Place sediment controls at drain inlets
- Provide secondary containment for container of sodium hypochlorite *(Note: container will be removed offsite)*
- Pick up litter at laydown area and near stormwater detention basin

Exhibit 7
WEAP Training Sign-In Sheets

Mariposa Energy Project

WORKER AWARENESS ENVIRONMENTAL PROGRAM

TRAINING SIGN-IN SHEET

(Biology, Archaeology, & Paleontology)

DATE: JULY 3, 2012

PLEASE NOTE:

By signing below, I acknowledge that I have attended the Worker Environmental Awareness Program Training for the Mariposa Energy Project, and I agree to comply with all the environmental requirements presented.

Name (print)	Name (signature)	Company/Role
Scott Kenyon	Scott Kenyon	Azco-Pipefitter
Bryan Burch	Bryan Burch	Azco-Pipefitter
Erik Dobrovolny		AZCO P.F. welder
Joshua Stetson		" "
Andrel Sapp	Andrel Sapp	AZCO PF/welder
Cathy Pastorin	Cathy Pastorin	" / "
Greg Wiley		mistras / AZCO / QC
John Drum		AZCO Pipefitter
C. Melzalcoal	C. Melzalcoal	AZCO / PF
VINCE FIETE		AZCO PF
CAREY STRACK	Carey Strack	AZCO PF
Morgan Crain		AZCO PF
JIM GOSK		AZCO PF

Mariposa Energy Project

WORKER AWARENESS ENVIRONMENTAL PROGRAM

TRAINING SIGN-IN SHEET

(Biology, Archaeology, & Paleontology)

DATE: 7-7-12

PLEASE NOTE:

By signing below, I acknowledge that I have attended the Worker Environmental Awareness Program Training for the Mariposa Energy Project, and I agree to comply with all the environmental requirements presented.

Name (print)	Name (signature)	Company/Role
JOSE AGUILAR	Jose' Aguilar	AZCO
Joe Gonzalez	Joe Gonzalez	AZCO
MONTE STUMP	Monte Stump	AZCO
ROBERT MASON	Robert L. Mason	AZCO
GARREN HARRIS	[illegible]	AZCO
TONY PEREZ	Tony M. Perez	AZCO

Mariposa Energy Project

WORKER AWARENESS ENVIRONMENTAL PROGRAM

TRAINING SIGN-IN SHEET

(Biology, Archaeology, & Paleontology)

DATE: JULY 19, 2012

PLEASE NOTE:

By signing below, I acknowledge that I have attended the Worker Environmental Awareness Program Training for the Mariposa Energy Project, and I agree to comply with all the environmental requirements presented.

Name (print)	Name (signature)	Company/Role
George P. Pell	[illegible]	AZCO
Anthony FURR	[illegible]	AZCO
Henry DUMAS	Henry Dumas	AZCO

Mariposa Energy Project

WORKER AWARENESS ENVIRONMENTAL PROGRAM TRAINING SIGN-IN SHEET

(Biology, Archaeology, & Paleontology)

DATE: 7.29.12

PLEASE NOTE:

By signing below, I acknowledge that I have attended the Worker Environmental Awareness Program Training for the Mariposa Energy Project, and I agree to comply with all the environmental requirements presented.

Name (print)	Name (signature)	Company/Role
KYLE PARMEE	[illegible]	TCT / BORESCOPE.

Mariposa Energy Project
WORKER AWARENESS ENVIRONMENTAL PROGRAM
TRAINING SIGN-IN SHEET
(Biology, Archaeology, & Paleontology)

DATE: 7-30-2012

PLEASE NOTE:
By signing below, I acknowledge that I have attended the Worker Environmental Awareness Program Training for the Mariposa Energy Project, and I agree to comply with all the environmental requirements presented.

Name (print)	Name (signature)	Company/Role
Daniel Avila	[illegible]	Delta AQS
John Peterson	[illegible]	Delta AQS
Stafford Pease	[illegible]	Delta AQS

Mariposa Energy Project
WORKER AWARENESS ENVIRONMENTAL PROGRAM
TRAINING SIGN-IN SHEET
(Biology, Archaeology, & Paleontology)

DATE: JULY 31, 2012

PLEASE NOTE:
By signing below, I acknowledge that I have attended the Worker Environmental Awareness Program Training for the Mariposa Energy Project, and I agree to comply with all the environmental requirements presented.

Name (print)	Name (signature)	Company/Role
SHANNON SCROGHAM	[illegible]	DELTA AQS / PROJECT MANAGER
ARTHUR CLARK	[illegible]	EMERSON VALVE SERVICE
MAC McGEE	Mac McGee	CALTROL - VALVE SERVICE

Exhibit 8
Construction Safety Reports

Health, Safety, Security, and Environment

Project Name: Mariposa Energy Project Month/Year: July / 2012

Leading Safety Indicators				
Category	**Month**	**YTD**	**PTD**	**Comments**
HSSE Orientations	0	507	1003	
Safe Behavior Observations (SBO)	0	178	478	
SBO % Safe – (# Conducted/Goal)	100%	99%	99%	
Pre-Task Plans (PTP)	38	1790	2780	
Tasks Performed w/o PTP	0	0	0	
HSSE Audits	0	8	12	
Audit Items (Past Target Date)	0	0	0	
Safety Committee Meetings	0	3	3	
HSE Training Hours	0	1014	1764	
Emergency Response Drills	0	0	0	

Incident Summary			
Date	**Incident Type (Injury, Near Miss, Spill, etc.)**	**Employer**	**Description/Corrective Actions**

HSSE Accomplishments/Activities/Concerns	

Exhibit 9
Authority to Construct Permit Application for the Diesel Fire Water Pump Engine

Mariposa Energy, LLC
333 S. Grand Ave., Suite 1570, Los Angeles, CA 90071
Tel: (213) 473-0080 Fax: (213) 620-1170

July 30, 2012

Mr. Madhav Patil
Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109

SUBJECT: Mariposa Energy Project (Plant #19730)
Diesel Fire Pump Driver, IC Engine (Source S-5)

Dear Mr. Patil:

As noted in an email correspondence from Mariposa Energy, LLC (Mariposa Energy) to the Bay Area Air Quality Management District (BAAQMD) on July 20, 2012, the emergency fire water pump engine that was installed at the Mariposa Energy Project (MEP) is inconsistent with the source description on the BAAQMD Authority to Construct (ATC) permit #20737. As a follow up to the July 20, 2012 correspondence, please find attached the application package for a Permit to Operate the John Deere, 175 brake horsepower (BHP), diesel fired, EPA Tier 3, Model JU6H-UFADM8 emergency fire water pump engine installed at MEP. This engine replaces the previously permitted EPA Tier 3 diesel-fired Cummins, Model CFP7E-F40, fire water pump engine, rated at 220 brake-horsepower (model year 2009 or later).

This package includes the completed BAAQMD ATC application forms (Forms P-101B, ICE, and HRSA), the manufacturer's engine and fire pump specifications, a site map, and a general arrangement drawing showing the equipment location. A complete assessment of the installed engine exhaust profile, including the criteria emissions based on the manufacturer's specifications, toxic air contaminant emissions, greenhouse gas emissions, and the exhaust parameters, is also included as an attachment to this letter[1]. The stack diameter and the stack height for the installed engine are consistent with the ATC application for the Cummins fire water pump engine.

The application package also includes a permit fee check for $1,595 to cover the permit application fees.

[1] The emissions from the John Deere Model JU6H-UFADM8 installed at MEP are expected to be less than the permitted Cummins, Model CFP7E-F40 engine.

Mariposa Energy, LLC
333 S. Grand Ave., Suite 1570, Los Angeles, CA 90071
Tel: (213) 473-0080 Fax: (213) 620-1170

If you have any questions regarding this submittal, please do not hesitate to contact me at (213) 473-0092 or Keith McGregor at (916) 286-0221.

Sincerely,

Bo Buchynsky
Mariposa Energy, LLC
Senior Vice President

Attachment: John Deere ICE Model JU6H-UFADM8 Permit to Construct Application Materials

cc: Craig Hoffman, California Energy Commission
Mike Kromer, Mariposa Energy, LLC
Jerry Salamy, CH2M HILL
Keith McGregor, CH2M HILL
Stephanie Moore, CH2M HILL

Application Forms

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street, San Francisco, CA 94109
Engineering Division (415) 749-4990
www.baaqmd.gov fax (415) 749-5030

Form P-101B
Authority to Construct/
Permit to Operate

1. Application Information

BAAQMD Plant No. 19730 Company Name Mariposa Energy, LLC

Equipment/Project Description 175 horsepower diesel-fired fire water pump at the Mariposa Energy Project site

2. Plant Information

If you have not previously been assigned a Plant Number by the District or if you want to update any plant data that you have previously supplied to the District, please complete this section.

Equipment Location 4887 Bruns Road

City Byron Zip Code 94514

Mail Address 4887 Bruns Road

City Byron State CA` Zip Code 94514

Plant Contact Mike Kromer Title Plant Manager

Telephone (925) 337-3895 Fax ( ) Email m.kromer@dgc-ops.com

NAICS (North American Industry Classification System) see www.census.gov/epcd/naics02/naico602.htm

3. Proximity to a School (K-12)

The sources in this permit application (*check one*) ☐ Are ☒ Are not within 1,000 ft of the outer boundary of the nearest school.

4. Application Contact Information

All correspondence from the District regarding this application will be sent to the plant contact unless you wish to designate a different contact for this application.

Application Contact Bo Buchynsky Title Senior Vice President

Mail Address 333 South Grand Avenue, Suite 1570

City Los Angeles State CA Zip Code 90071

Telephone (213) 473-0092 Fax (213) 620-1170 Email b.buchynsky@dgc-us.com

5. Additional Information

The following additional information is required for all permit applications and should be included with your submittal. Failure to provide this information may delay the review of your application. Please indicate that each item has been addressed by checking the box. Contact the Engineering Division if you need assistance.

- ☐ If a new Plant, a local street map showing the location of your business
- ☒ A facility map, drawn roughly to scale, that locates the equipment and its emission points
- ☒ Completed data form(s) and a pollutant flow diagram for each piece of equipment. (See www.baaqmd.gov/pmt/forms/)
- ☒ Project/equipment description, manufacturer's data
- ☒ Discussion and/or calculations of the emissions of air pollutants from the equipment

6. Trade Secrets

Under the California Public Records Act, all information in your permit application will be considered a matter of public record and may be disclosed to a third party. If you wish to keep certain items separate as specified in Regulation 2, Rule 1, Section 202.7, please complete the following steps.

- ☐ Each page containing trade secret information must be labeled "trade secret" with the trade secret information clearly marked.
- ☐ A second copy, with trade secret information blanked out, marked "public copy" must be provided.
- ☐ For each item asserted to be trade secret, you must provide a statement which provides the basis for your claim.

7. Small Business Certification *You are entitled to a reduced permit fee if you qualify as a small business as defined in Regulation 3. In order to qualify, you must certify that your business meets all of the following criteria:*

☐ The business does not employ more than 10 persons and its gross annual income does not exceed $600,000.

☐ And the business is not an affiliate of a non-small business. (Note: a non-small business employs more than 10 persons and/or its gross income exceeds $600,000.)

8. Accelerated Permitting *The Accelerated Permitting Program entitles you to install and operate qualifying sources of air pollution and abatement equipment* ***without waiting for the District to issue a Permit to Operate****. To participate in this program you must certify that your project will meet all of the following criteria. Please acknowledge each item by checking each box.*

☐ Uncontrolled emissions of any single pollutant are each less than 10 lb/highest day, or the equipment has been precertified by the BAAQMD.

☐ Emissions of toxic compounds do not exceed the trigger levels identified in Table 2-5-1 (see Regulation 2, Rule 5).

☐ The project is not subject to public notice requirements (the source is either more than 1000 ft. from the nearest school, or the source does not emit any toxic compound in Table 2-5-1).

☐ For replacement of abatement equipment, the new equipment must have an equal or greater overall abatement efficiency for all pollutants than the equipment being replaced.

☐ For alterations of existing sources, for all pollutants the alteration does not result in an increase in emissions.

☐ Payment of applicable fees (the minimum permit fee to install and operate each source). See Regulation 3 or contact the Engineering Division for help in determining your fees.

9. CEQA *Please answer the following questions pertaining to CEQA (California Environmental Quality Act).*

A. Has another public agency prepared, required preparation of, or issued a notice regarding preparation of a California Environmental Quality Act (CEQA) document (initial study, negative declaration, environmental impact report, or other CEQA document) that analyzes impacts of this project or another project of which it is a part or to which it is related? ☒YES ☐NO If no, go to section 9B.

Describe the document or notice, preparer, and date of document or expected date of completion:

California Energy Commission's Application for Certification

B. List and describe any other permits or agency approvals required for this project by city, regional, state or federal agencies:

See AFC Application

C. List and describe all other prior or current projects for which either of the following statements is true: (1) the project that is the subject of this application could not be undertaken without the project listed below, (2) the project listed below could not be undertaken without the project that is the subject of this application:

Not Applicable

10. Certification *I hereby certify that all information contained herein is true and correct. (Please sign and date this form)*

Bo Buchynsky	Senior Vice President	Bo Buchynsky	7/30/2012
Name of person certifying (print)	Title of person certifying	Signature of person certifying	Date

Send all application materials to the **BAAQMD Engineering Division, 939 Ellis Street, San Francisco, CA 94109.**

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street, San Francisco, CA 94109
Engineering Division (415) 749-4990
www.baaqmd.gov fax (415) 749-5030

Form ICE
Internal Combustion Engines

Form ICE is to be completed for all internal combustion engines except turbines. (For turbines, submit Form C). Submit one form for each engine. If this is a new engine or a modification to an existing engine, you must also complete Form HRSA Health Risk Screen Analysis. Additional forms and all District regulations and rules are available on the District's web site. Contact your assigned permit engineer or the Engineering Division at the above telephone number if you need assistance completing this form. Please include the engine manufacturer's ***equipment specifications****.*

1. SUMMARY ☒ New Construction ☐ Modification ☐ Loss of Exemption

Company Name Mariposa Energy, LLC Plant No.* 19730

Source Description Diesel Fire Pump Driver Source No.* S-5
**(If unknown leave blank)*

Initial Date of Operation 2012 *(Not required for modification of an existing permitted source)*

Operating Schedule *Typical hrs/day* 0.5 *Days/week* 1 *Weeks/yr* 52 *Maximum hrs/day* 0.5

2. ENGINE INFORMATION ☐ *Check here if applying for a portable equipment permit. (See Reg. 2-1-413 for requirements)*

Engine Type: *(Check one)* ☒ 4 Stroke ☐ 2 Stroke Compression Ignition (Diesel) or ☐ 4 Stroke ☐ 2 Stroke Spark Ignition

Engine Manufacturer John Deere Model JU6H-UFADM8 Model Year 2011

EPA/CARB Engine Family Name BJDXL06.8120 Engine Serial No. PE6068L180938

Engine Displacement 415 *(cu in)* Maximum rated output *(bhp)* 175 Typical load as % of bhp rating 10

Is this an emergency/standby engine? ☒ Yes ☐ No

(Complete and check all that apply)

Certification: ☒ EPA Certified ☐ CARB Certified CARB Executive Order No. _____

☐ None *(If None is checked, please indicate below the items applicable to this engine.)*

☐ Naturally aspirated ☐ Supercharged ☐ Turbocharged ☐ Inter-cooled ☐ After-cooled

☐ Timing retard ≥ 4° ☐ Lean-burn ☐ Rich-burn

Primary Use: ☐ Electrical generation ☐ Cogeneration ☐ Pump driver ☒ Fire pump driver

☐ Compressor driver ☐ Tub grinder driver ☐ Other: _____

3. ABATEMENT DEVICE INFORMATION *Complete this section only if the engine exhausts to an add-on abatement device.*

☐ *Check here if the engine has more than one add-on abatement device and complete a separate Form A for each additional abatement device.*

Abatement device number A _____ *(If unknown leave blank)* ☐ New ☐ Existing

Device type: ☐ Diesel catalyzed particulate filter ☐ Oxidation catalyst ☐ Selective catalytic reduction (SCR)

☐ Non-selective catalytic reduction (NSCR or 3-way catalyst) ☐ Other: _____

Make, Model, and Rated Capacity _____

Abatement device control efficiencies at typical operation *(Use the basis codes listed below. If unknown leave blank)*

Control Efficiency/Emission Factor Basis Codes: *(Submit supporting documentation if available)*

(1) Source testing or other measurement by plant
(2) Source testing or measurement by BAAQMD (*District use only*)
(3) Specification from vendor
(4) Material balance by plant using knowledge of process
(5) Material balance by BAAQMD (*District use only*)
(6) EPA Document AP-42 Emission Factors
(7) Taken from literature other than AP-42
(8) Guess
(9) EPA/CARB Certification

Pollutant Name	Wt % Reduction	Basis Code
Particulates		
Organics		
Nitrogen Oxides		
Sulfur Dioxide		
Carbon Monoxide		
Others – ☐ Check here and attach a separate list of pollutants. Include the basis code and the control efficiency.		

Continued on reverse side

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Form ICE
Internal Combustion Engines

4. EMISSION POINT/STACK INFORMATION ☐ *Check here if the engine has more than one stack or has a continuous pollutant emission monitor and complete one Form P for each emission point..*

Emission point number P -5 *(If unknown leave blank)* ☒ New ☐ Existing

Stack outlet height from ground level *(ft)* 12

Diameter of stack outlet *(inches)* 6 or Outlet cross-section area *(square inches)* _____

Direction of outlet *(check one)* ☐ Horizontal ☒ Vertical End of outlet *(check one)* ☒ Open/hinged flap ☐ Rain cap

Exhaust rate at typical operation *(acfm)* 1,100 Exhaust temperature at typical operation *(°F)* 1,000

5. RISK ASSESSMENT INFORMATION.

Distance from engine to the property line of the nearest residence *(ft)* ~3,200 or *(check if)* ☐ Greater than one mile

Distance from engine to the property line of the nearest school[1] *(ft)* _____ or *(check if)* ☒ Greater than 1000 ft

Describe the nearest non-residential, non-school site *(check one)* ☒ Industrial ☐ Commercial ☐ Hospital ☐ Day care center ☐ Other _____

Distance from engine to the property line of the nearest non-residential, non- school site*(ft)* ~400 or ☐ Greater than one mile

1. *K-12 and more than twelve children only.*

6. FUEL DATA *Complete the table below for each fuel burned. If you are using a fuel other than those listed in the fuel code table, attach a* ***fuel analysis*** *indicating the higher heating value, sulfur content, and nitrogen content. Please clearly indicate the measurement unit that corresponds to the information you are submitting.* ☐ *Check here if you are using more than two fuels, and attach a copy of this page listing the additional fuels.*

Primary Fuel

Fuel Code[1] 98 Name Diesel

Maximum Fuel Use Rate[2] 10.4 gal/hr *gal/hr or SCF/hr*

Annual Fuel Usage[3] 520 gal/yr *gal/yr or therm/yr or SCF/yr*

Typical Heat Content[4] NA *BTU/gal or BTU/SCF*

Sulfur Content[4] 15 ppm *wt% liquids or ppmv gases*

Emission Factors *(Optional)*

Pollutant Name	Emission Factor	Units[5]	Basis Code[6]	Abated Factor (√)[7]
Particulates	0.10	grams/bhp-hr		☐
Organics	0.1	grams/bhp-hr		☐
Nitrogen Oxides	2.7	grams/bhp-hr		☐
Carbon Monoxide	0.9	grams/bhp-hr		☐

Others – ☐ Check here and attach a separate list under each fuel used.

Secondary Fuel

Fuel Code[1] NA Name NA

Maximum Fuel Use Rate[2] _____ *gal/hr or SCF/hr*

Annual Fuel Usage[3] _____ *gal/yr or therm/yr or SCF/yr*

Typical Heat Content[4] _____ *BTU/gal or BTU/SCF*

Sulfur Content[4] _____ *wt% liquids or ppmv gases*

Emission Factors *(Optional)*

Pollutant Name	Emission Factor	Units[5]	Basis Code[6]	Abated Factor (√)[7]
Particulates				☐
Organics				☐
Nitrogen Oxides				☐
Carbon Monoxide				☐

Others – ☐ Check here and attach a separate list under each fuel used.

1. *Fuel Codes:* Diesel (**98**) Bio Diesel B100 (**815**) Bio Diesel B20 Blend (**816**) Gasoline (**551**) Natural Gas (**189**) Landfill Gas (**511**) Digester Gas (**493**) Liquid Petroleum Gas (LPG) (**160**)
2. *Maximum fuel use rate units: gallon/hr for liquid fuels and SCF/hr for gaseous fuels. (SCF =Standard Cubic Foot)*
3. *The annual fuel usage is the actual or projected engine fuel consumption over a rolling 12-month time period. Annual usage units: gallons for liquid fuel, therms for natural gas, and SCF for other gaseous fuels. (therm = 100,000 BTUs, BTU =British Thermal Unit)*
4. *If you are using diesel, natural gas, or gasoline, you may skip this entry. Heat content units: BTU/gallon for liquid fuels, BTU/SCF for gaseous fuels. Sulfur content* units: weight % for liquid fuels, ppmv for gaseous fuels. (ppmv = parts per million by volume)
5. *Emission factors may be reported as gram/brakehp-hr, or as lb per gallon, or as lb per therm, or as lb per SCF.*
6. *See the Control Efficiency/Emission Factor Basis Code table under Section 3 on page 1 of this form.*
7. *Place a check in this column if the emission factor applies to emissions* <u>*after*</u> *abatement by an add-on abatement device.*

7. CERTIFICATION I hereby certify that all information contained herein is true and correct. *(Please sign and date this form)*

Name of person certifying (print)	Title of person certifying	Signature of person certifying	Date

Approved By: _____ Date: _____ Entered By: _____ Date: _____
(District Use Only)

Form HRSA

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street . . . San Francisco, CA 94109. . . (415) 749-4990 . . . FAX (415) 749-5030 OR 4949
WEBSITE: WWW.BAAQMD.GOV

Health Risk Screening Analysis

IMPORTANT: For any permit application that requires a Health Risk Screening Analysis, fill out one form for each source that emits a Toxic Air Contaminant(s) [or for a group of sources that exhaust through a common stack]. Emissions can be from a discrete point source (with stack) or a source with fugitive emissions (area or volume source). You must provide a plot plan (drawn to scale, if possible) and a local map (aerial photos are recommended), which clearly demonstrate the location of your site, the source(s), property lines, and any surrounding buildings [see attached example]. Label streets, schools, residences, and other businesses. List major dimensions of all buildings surrounding the source in Section C.

Plant Name: Mariposa Energy, LLC Plant No.: 19730

Source Description: Diesel Fire Pump Driver

Source No.: S-5 (if known) Emission Point No.: P-5 (if known)

SECTION A *(Point Source)*

1. Does the source exhaust at clearly defined emission point; i.e., a stack or exhaust pipe? ☒ YES OR ☐ NO
   (If YES continue at #2, If NO, skip to Section B)
2. Does the stack (or exhaust pipe) stand alone or is it located on the roof of a building? ☐ alone OR ☒ on roof
   Important: If stack is on a roof, provide building dimensions on line B1 in Section C.
3. What is the height of the stack outlet above ground level? 12 feet OR ____ meters?
4. What is the inside diameter of the stack outlet? 6 inches OR ____ feet OR ____ meters
5. What is the direction of the exhaust from the stack outlet? ☐ horizontal OR ☒ vertical
6. Is the stack outlet: ☒ open or hinged rain flap OR ☐ rain capped (deflects exhaust downward or horizontally)
7. What is the exhaust flowrate during normal operation? 1,100 cfm (cubic feet/min) OR ____ meters^3/second
8. What is the typical temperature of the exhaust gas? 1,000 degrees Fahrenheit OR ____ degrees Celsius
   (Skip Section B and Go on to Section C)

SECTION B *(Area/Volume Source)*

This section applies to fugitive emissions that are NOT captured by a collection system nor directly emitted through a stack or other emission point. Volume sources have fugitive emissions generally released within a building or other defined space (e.g., dry cleaner, gasoline station canopy). Area sources are generally flat areas of release (e.g., landfill, quarry).

1. Is the emission source located within a building? ☐ YES (go to #2) OR ☐ NO (go to #3)
2. If YES (source inside building), provide building dimensions on line B1 in Section C
   a. Does the building have a ventilation system that is vented to the outside? ☐ YES OR ☐ NO
   b. If NO (ventilation), are the building's doors & windows kept open during hours of operation? ☐ YES OR ☐ NO
3. If NO (source not inside building), provide a description of the source, dimensions, & indicate location on plot plan.

(Go on to Section C)

SECTION C *(Building Dimensions)*

Provide building dimensions. Use Line B1 only for building with source/stack on the roof or with fugitive emissions inside building. Use Lines B2-B9 for buildings surrounding the source (within 300 feet). Distance and direction are optional if map and/or aerial photo are adequately labeled with locations of buildings. Check one for units: ☒ feet OR ☐ meters

B#	Building name or description	Height	Width	Length	Distance To Source	Direction To Source
32	Fire Pump Enclosure	10	12	28		
31	Service/Fire Water Tank	45	45 diameter	-		
35	Waste Water Storage Tank	20	25 diameter	-		
37	Demin Water Storage Tank	40	40 diameter	-		
40	Maintenance	23	52	98		
22	Power Distribution Center	18.5	35	80		
24	Fuel Gas Compressor	25	35	105		
42	Chiller Package (4 Units)	19 (each)	20 (each)	57 (each)		

NOTE: Label buildings by B# on plot plan, map and/or aerial photo. Provide comments below for any details that need additional clarification (e.g., list buildings that are co-occupied by your employees and other workers, residents, students, etc).

See attached General Arrangement Drawing (Attachment 1)

(Go on to Section D)

SECTION D *(Receptor Locations)*

NOTE: Indicate on maps or aerial photos the residential and nonresidential areas surrounding your facility.

1. Indicate the area where the source is located (check one):
   - ☐ zoned for residential use
   - ☐ zoned for mixed residential and commercial/industrial use
   - ☐ zoned for commercial and/or industrial use
   - ☒ zoned for agricultural use
2. Distance from source (stack or building) to nearest facility property line = ~40 feet OR ___ meters
3. Distance from source (stack or building) to the property line of the nearest residence = ~3,200 feet OR _____ meters
4. Describe the nearest nonresidential property (check one): ☒ Industrial/Commercial OR ☐ Other _____

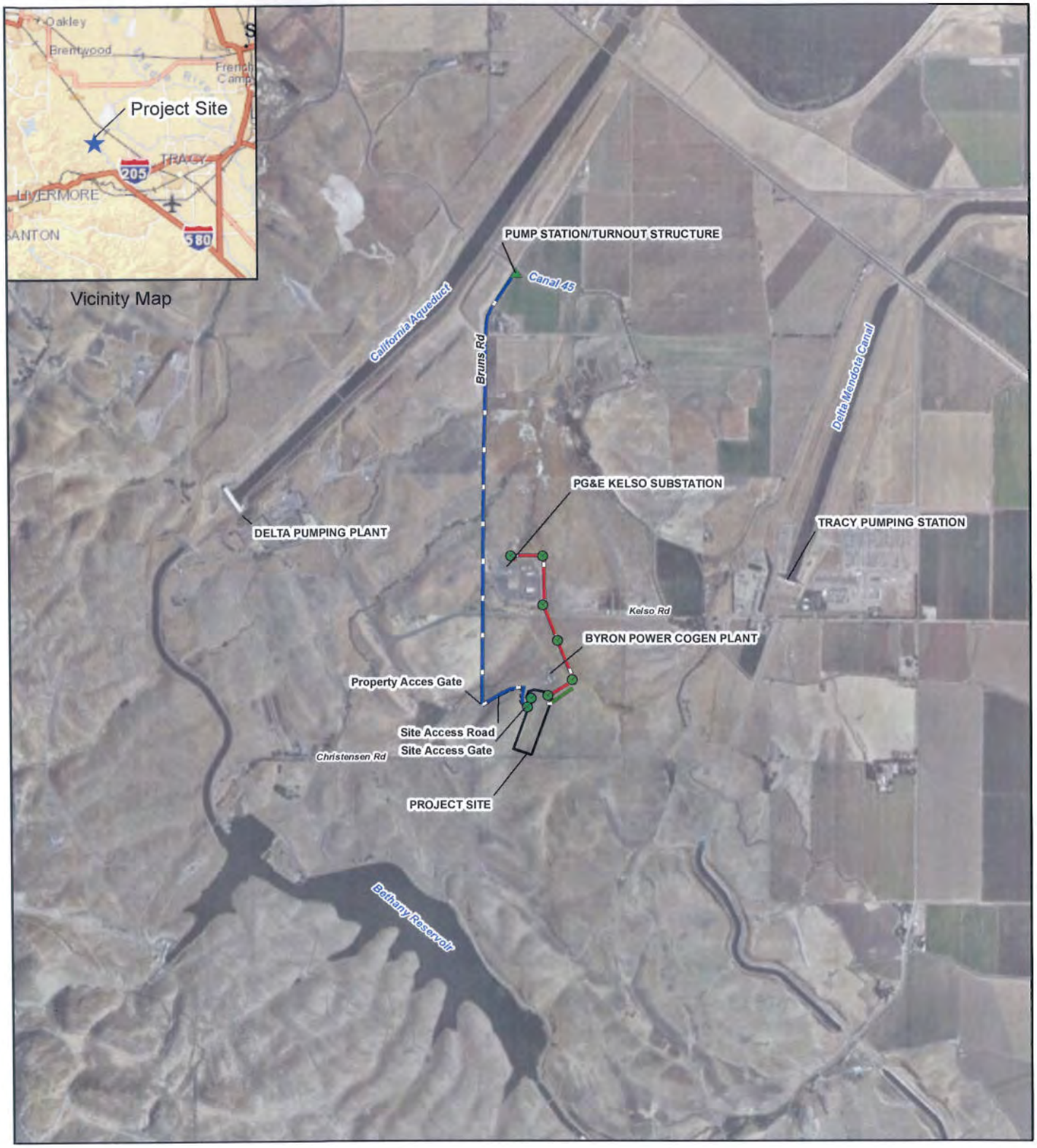
   An aerial map showing the surrounding area and nearest non-residential receptor is attached (see Figure 1).
5. Distance from source (stack or building) to property line of nearest nonresidential site = ~400 feet OR _____ meters
6. Distance from source to property line of nearest school* (or school site) = _____ feet OR ☒ Greater than 1,000 feet

   [Note: Helpful website with California Dept. of Education data: www.greatschools.net]

   Provide the names and addresses of all schools* that have property line(s) within 1,000 feet of the source:

   Not Applicable - The nearest school is greater than 1,000 feet to the east of the facility.

*K-12 and more than twelve children only



LEGEND

- POWER POLE LOCATION
- PUMP STATION/TURNOUT STRUCTURE
- ACCESS ROAD
- NATURAL GAS PIPELINE ROUTE
- TRANSMISSION LINE ROUTE
- WATER SUPPLY PIPELINE ROUTE
- PROJECT SITE

N

0 750 1,500
Feet

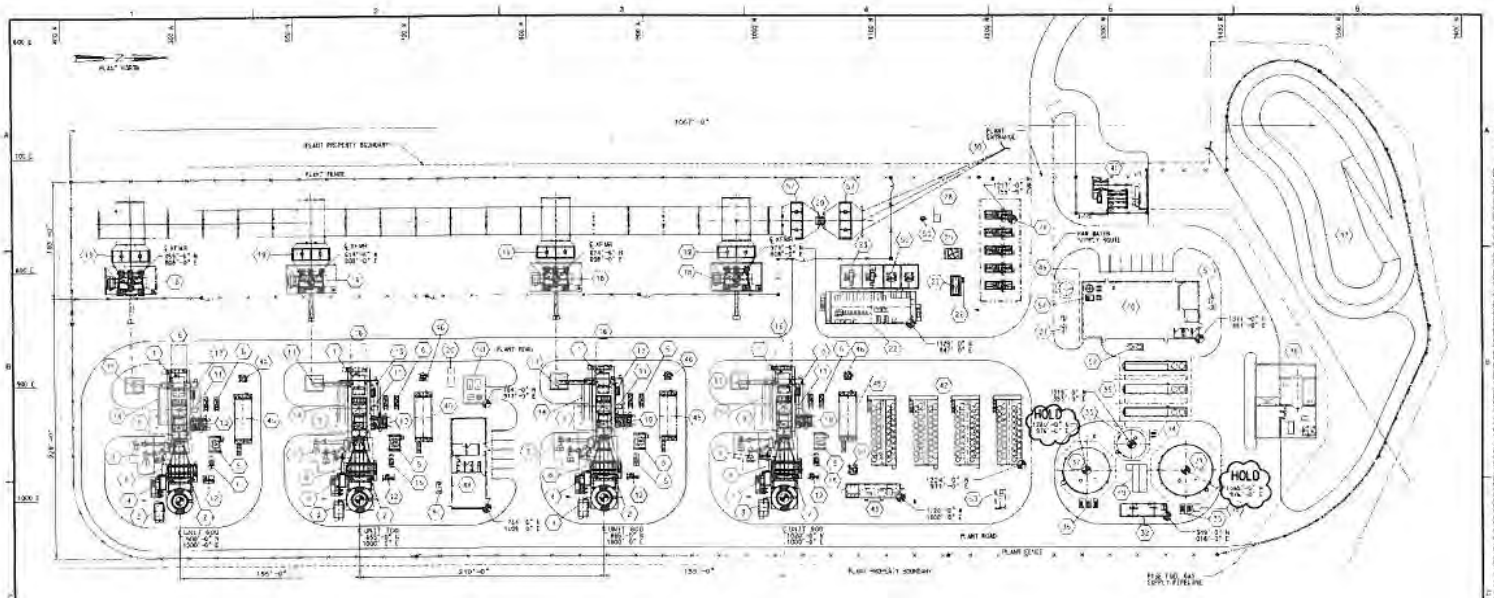
This map was compiled from various scale source data and maps and is intended for use as only an approximate representation of actual locations.

FIGURE 1
SITE LOCATION

MARIPOSA ENERGY PROJECT
ALAMEDA COUNTY, CALIFORNIA

CH2MHILL

P:\MEP_MARIPOSA_ENERGY\MAPFILES\SITE_LOCATION.MXD GPERDEW 2/6/2012 11:22:04 AM



#	EQUIP. TAG	DESCRIPTION
1	[illegible]	GE LM-6000PC SPRINT COMBUSTION TURBINE GENERATOR
2	[illegible]	HRSG SCR CATALYST
3	[illegible]	CONTINUOUS EMISSIONS MONITORING SYSTEM
4	[illegible]	AMMONIA VAPORIZATION SKID
5	[illegible]	FUEL GAS GAS DEWATER
6	[illegible]	CTG FIRE WATER PRESSURIZATION PUMP SKIDS
7	[illegible]	TEMPERING AIR FANS
8	[illegible]	MOTOR CONTROL CENTER
9	TURBINE GENERAL AREA	
10	[illegible]	CTG BUILDING SKID
11	[illegible]	CTG SPRINT SKID
12	[illegible]	CTG FUEL GAS LINE FILTER SKID
13	[illegible]	CTG FIRE PROTECTION SKID (CO2 BOTTLES)
14	[illegible]	CTG INLET AIR FILTER
15	[illegible]	CTG WATER WASH DRAIN TANK
16	TURBINE TERMINAL AREA	
17	[illegible]	GE EN INTERFACE - CRITICAL & SAFETY
18	[illegible]	GENERATOR STEP-UP TRANSFORMER
19	[illegible]	230 kV DISCONNECT SWITCH

#	EQUIP. TAG	DESCRIPTION
20	[illegible]	OILY WATER SUMP
21	[illegible]	OILY WATER SEPARATOR
22	TURBINE DISTRIBUTION CENTER (TDC)	
23	[illegible]	AUX TRANSFORMERS
24	[illegible]	FUEL GAS COMPRESSOR SKIDS
25	[illegible]	FUEL GAS CENTRAL METERS (2)
26	[illegible]	FUEL GAS DRAINS TANK
27	[illegible]	FUEL GAS SUBMARINE HOSE/LINE FILTER SKID
28	[illegible]	FUEL GAS DEW POINT HEATER
29	[illegible]	230 kV CIRCUIT BREAKER
30	[illegible]	230 kV TRANSMISSION LINES
31	[illegible]	DEMINERALIZED WATER STORAGE TANK (40' DIA.)
32	[illegible]	FIRE WATER PUMP SKID
33	[illegible]	SERVICE WATER PUMPS
34	[illegible]	PROCESS WASTE WATER FORWARDING PUMPS
35	[illegible]	RAW WATER STORAGE TANK (25' DIA.)
36	[illegible]	RAW WATER PUMPS
37	[illegible]	POTABLE WATER STORAGE TANK (40' DIA.)
38	[illegible]	AQUEOUS AMMONIA STORAGE TANK

#	EQUIP. TAG	DESCRIPTION
39	[illegible]	WATER TANKS (FIRE/POTABLE)
40	WAREHOUSE & MAINT. BUILDING	
41	[illegible]	FUEL GAS METERING STATION
42	[illegible]	CHILLER PACKAGE
43	[illegible]	ANTI-FREEZE HEATER
44	CONTROL ROOM BUILDING	
45	[illegible]	CTG POWER CONTROL MODULE
46	[illegible]	FIRE TANKS (2)
47	[illegible]	AUTO/FLOW STORE
48	[illegible]	FIRE GAS, OIL SEPARATOR FOR MILL WATER & STORMS DRAIN
49	[illegible]	MULTIMEDIA FILTER SKID
50	[illegible]	CHEMICAL FEED SYSTEM TANKS
51	[illegible]	SANITARY WASTE HOLDING TANKS (TEMP SKID)
52	[illegible]	CHEMICAL STORAGE TOTE
53	[illegible]	PROCESS WASTE WATER TANK
54	[illegible]	FIREWALL WALLS (2)
55	[illegible]	STATION SERVICE TRANSFORMER
56	[illegible]	SANITARY SEPTIC TANK
57	[illegible]	FIRE 69 TRIBAR STRAINERS (BATTERY)
58	[illegible]	AUTOMATIC SYSTEM TRANSFORMER
59	[illegible]	FUEL GAS BULK TRANSFORMER

NOTES:
1. ALL DIMENSIONS SHOWN ARE PLANT GRID
2. GRID/WATER DALLAS NORTH STERLING CO
3. [illegible] INDICATES NUMBERS
4. [illegible] INDICATES ADDITIONAL INFORMATION
SE DATUM (N-S, E-W) (NAD83) 01-01" = [illegible]
GRADE EL. [illegible]

SCALE: 1" = 40'

NO.	DATE	REVISION	BY	CHK
A	[illegible]	ISSUED FOR REVIEW	[illegible]	[illegible]
B	[illegible]	ISSUED FOR REVIEW	[illegible]	TGA
C	[illegible]	ISSUED FOR CONSTRUCTION	[illegible]	TGA

REVISION APPROVAL		REV. 1	DATE 0/0/01
DISCIPLINE	REVIEWED	DISCIPLINE	REVIEWED
CIVIL	[illegible]	ELECTRICAL	[illegible]
STRUCTURAL	[illegible]	INST. & CONT.	[illegible]
MECHANICAL	[illegible]	ARCH.	[illegible]
PROCESS	[illegible]	GEN. ARRANG.	[illegible]
PIPING	[illegible]		

STATUS					
ISSUED	REV	DATE	DM	SDF	PCM
PRELIMINARY	A1	10/18/01			
PRELIMINARY FOR REVIEW	B	04/12/01	[illegible]	[illegible]	[illegible]
PRELIMINARY FOR CONSTRUCTION	C	6/5/01	[illegible]	[illegible]	[illegible]
REVISED & APPROVED FOR CONSTRUCTION					

SCALE 1" = 40'

Diamond Generating Corporation
A Subsidiary of Mitsubishi Corporation
Mariposa Energy Project
PROJECT NO. 419069
CH2MHILL
CH2MHILL Engineers, Inc.

GENERAL ARRANGEMENT
EQUIPMENT LOCATION PLAN

DWG. NO. G-PE001 REV. C

RESPONSIBLE ENGINEER

THIS DOCUMENT, AND THE IDEAS AND DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF CH2MHILL AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF CH2MHILL.

BLACK IS ONLY WHEN THIS ORIGINAL DRAWING IS [redacted]

Equipment Specifications

CLARKE

Fire Protection Products, Inc.

JU6H-UFADM8

INSTALLATION & OPERATION DATA (I&O Data)

USA Produced

Basic Engine Description

Engine Manufacturer	John Deere Co.
Ignition Type	Compression (Diesel)
Number of Cylinders	6
Bore and Stroke - in (mm)	4.19 (106) X 5 (127)
Displacement - in^3 (L)	415 (6.8)
Compression Ratio	19.0:1
Valves per cylinder	
Intake	1
Exhaust	1
Combustion System	Direct Injection
Engine Type	In-Line, 4 Stroke Cycle
Fuel Management Control	Electronic, High Pressure Common Rail
Firing Order (CW Rotation)	1-5-3-6-2-4
Aspiration	Turbocharged
Charge Air Cooling Type	Raw Water
Rotation, viewed from front of engine, Clockwise (CW)	Standard
Engine Crankcase Vent System	Open
Installation Drawing	D628
Weight - lb (kg)	1747 (792)

Power Rating	**1760**
Nameplate Power - HP (kW)	175 (131)

Cooling System - [C051386]	**1760**
Engine Coolant Heat - Btu/sec (kW)	90 (95)
Engine Radiated Heat - Btu/sec (kW)	40 (42.2)
Heat Exchanger Minimum Flow	
60°F (15°C) Raw H_20 - gal/min (L/min)	13 (49.2)
95°F (35°C) Raw H_20 - gal/min (L/min)	20 (75.7)
Heat Exchanger Maximum Cooling Raw Water	
Inlet Pressure - psi (bar)	60 (4.1)
Flow - gal/min (L/min)	40 (151)
Typical Engine H_20 Operating Temp - °F (°C)[1]	180 (82.2) - 195 (90.6)
Thermostat	
Start to Open - °F (°C)	180 (82.2)
Fully Opened - °F (°C)	203 (95)
Engine Coolant Capacity - qt (L)	20.5 (19.4)
Coolant Pressure Cap - lb/in^2 (kPa)	15 (103)
Maximum Engine Coolant Temperature - °F (°C)	230 (110)
Minimum Engine Coolant Temperature - °F (°C)	160 (71.1)
High Coolant Temp Alarm Switch - °F (°C)	235 (113)

Electric System - DC	**Standard**		**Optional**	
System Voltage (Nominal)	12		24	
Battery Capacity for Ambients Above 32°F (0°C)				
Voltage (Nominal)	12	[C07633]	24	[C07634]
Qty. Per Battery Bank	1		2	
SAE size per J537	8D		4D	
CCA @ 0°F (-18°C)	1400		1050	
Reserve Capacity - Minutes	430		290	
Battery Cable Circuit, Max Resistance - ohm	0.0012		0.0012	
Battery Cable Minimum Size				
0-120 in. Circuit Length[2]	00		00	
121-160 in. Circuit Length[2]	000		000	
161-200 in. Circuit Length[2]	0000		0000	
Charging Alternator Maximum Output - Amp,	40	[C071363]	55	[C071365]
Starter Cranking Amps, Rolling - @60°F (15°C)	440	[RE69704/RE70404]	250	[C07819/C07820]

NOTE: This engine is intended for indoor installation or in a weatherproof enclosure. [1]Engine H_2O temperature is dependent on raw water temperature and flow. [2]Positive and Negative Cables Combined Length.

CLARKE

Fire Protection Products, Inc.

JU6H-UFADM8

INSTALLATION & OPERATION DATA (I&O Data)

USA Produced

Exhaust System	**1760**
Exhaust Flow - ft.³/min (m³/min)	1100 (31.1)
Exhaust Temperature - °F (°C)	1000 (538)
Maximum Allowable Back Pressure - in H_20 (kPa)	30 (7.5)
Minimum Exhaust Pipe Dia. - in (mm)[3]	5 (127)

Fuel System	**1760**
Fuel Consumption - gal/hr (L/hr)	10.4 (39.4)
Fuel Return - gal/hr (L/hr)	15.4 (58.3)
Fuel Supply - gal/hr (L/hr)	25.8 (97.7)
Fuel Pressure - lb/in² (kPa)	3 (20.7) - 6 (41.4)
Minimum Line Size - Supply - in.	.50 Schedule 40 Steel Pipe
Pipe Outer Diameter - in (mm)	0.848 (21.5)
Minimum Line Size - Return - in.	.375 Schedule 40 Steel Pipe
Pipe Outer Diameter - in (mm)	0.675 (17.1)
Maximum Allowable Fuel Pump Suction Lift with clean Filter - in H_20 (mH_20)	80 (2)
Maximum Allowable Fuel Head above Fuel pump, Supply or Return - ft (m)	6.6 (2)
Fuel Filter Micron Size	2

Heater System	**Standard**	**Optional**
Engine Coolant Heater		
Wattage (Nominal)	1360	1360
Voltage - AC, 1 Phase	115 (+5% -10%)	230 (+5%, -10%)
Part Number	[C123640]	[C123644]

Air System	**1760**	
Combustion Air Flow - ft.³/min (m³/min)	360 (10.2)	
Air Cleaner	**Standard**	**Optional**
Part Number	[C03396]	[C03327]
Type	Indoor Service Only, with Shield	Canister, Single-Stage
Cleaning method	Washable	Disposable
Air Intake Restriction Maximum Limit		
Dirty Air Cleaner - in H_20 (kPa)	12 (3)	10 (2.5)
Clean Air Cleaner - in H_20 (kPa)	6 (1.5)	5 (1.2)
Maximum Allowable Temperature (Air To Engine Inlet) - °F (°C)[4]	130 (54.4)	

Lubrication System	
Oil Pressure - normal - lb/in² (kPa)	40 (276) - 60 (414)
Low Oil Pressure Alarm Switch - lb/in² (kPa)	30 (207)
In Pan Oil Temperature - °F (°C)	220 (104) - 245 (118)
Total Oil Capacity with Filter - qt (L)	21.1 (20)

Lube Oil Heater	**Optional**	**Optional**
Wattage (Nominal)	150	150
Voltage	120V (+5%, -10%)	240V (+5%, -10%)
Part Number	C04430	C04431

Performance	**1760**
BMEP - lb/in² (kPa)	190 (1310)
Piston Speed - ft/min (m/min)	1467 (447)
Mechanical Noise - dB(A) @ 1m	C133847
Power Curve	C133746

[3]Based on Nominal System. Back pressure flow analysis must be done to assure maximum allowable back pressure is not exceeded. (Note: minimum exhaust Pipe diameter is based on: 15 feet of pipe, one 90° elbow, and a silencer pressure drop no greater than one half of the maximum allowable back pressure.) [4]Review for horsepower derate if ambient air entering engine exceeds 77°F (25°C). [ ] indicates component reference part number.

Rating Specific Emissions Data - John Deere Power Systems

JOHN DEERE

Nameplate Rating Information

Clarke Model	JU6H-UFADM8
Power Rating (BHP / kW)	175 / 131
Certified Speed (RPM)	1760

Rating Data

Rating	6068HFC28A	
Certified Power (kW)	177	
Rated Speed	1760	
Vehicle Model Number	Clarke Fire Pump	
Units	g/kW-hr	g/hp-hr
NOx	3.6	2.7
HC	0.2	0.1
NOx + HC	3.8	2.8
Pm	0.13	0.10
CO	1.2	0.9

Certificate Data

Engine Model Year	2011
EPA Family Name	BJDXL06.8120
EPA JD Name	350HAK
EPA Certificate Number	JDX-NRCI-11-29
CARB Executive Order	Not Applicable
Parent of Family	6068HFG82A
Units	g/kW-hr
NOx	3.8
HC	0.1
NOx + HC	3.9
Pm	0.12
CO	1.2

* The emission data listed is measured from a laboratory test engine according to the test procedures of 40 CFR 89 or 40 CFR 1039, as applicable. The test engine is intended to represent nominal production hardware, and we do not guarantee that every production engine will have identical test results. The family parent data represents multiple ratings and this data may have been collected at a different engine speed and load. Emission results may vary due to engine manufacturing tolerances, engine operating conditions, fuels used, or other conditions beyond our control.

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Equipment Emissions

Mariposa Energy Project
Emergency Fire Pump Emissions (installed John Deere) - Criteria, HAPS, and Greenhouse Gas Pollutants
July 2012

Assume: Tier 3, 175 BHP John Deere Model JU6H-UFADM8 diesel fire pump driver
Engine operates a maximum of 0.5 hours per day / 50 hours per year for maintenance and reliability testing.

Rated Horsepower	175	Maximum rated capacity of the John Deere Model JU6H-UFADM8
Maximum Test Time:	0.5	(30 minutes per hour)
Tests/Day	1	
Hours/Year	50	
Max Fuel usage is	10.4 Gal/hr	(at 175 bhp, 1,760 RPM)
	5.20 Gal/day	(assumes a maximum of 30 minutes per hour)
	520 Gal/yr	

Pollutant	Emission Factor	John Deere Emission Estimates			Permitted Emissions[1]	
	Grams/Brake-Horsepower-Hour	lb/hr	lb/day	lb/yr	lb/hr	lb/yr
Hydrocarbons[2]	0.1	0.0193	0.0193	1.93	0.04	3.50
Oxides of Nitrogen[2]	2.7	0.52	0.52	52.1	0.64	63.50
Carbon Monoxide[2]	0.9	0.17	0.17	17.4	0.29	28.95
Particulates[2]	0.1	0.019	0.019	1.93	0.03	3.00
Sulfur Dioxide[3]	0.0055	0.0011	0.0011	0.11	0.0014	0.14
	kg/gal	lb/hr	lb/day	metric tons/yr		
Carbon Dioxide[4]	10.15	116	116	5.28		
Methane[5]	0.0003	0.0034	0.0034	0.000156		
Nitrous Oxide[5]	0.0001	0.00115	0.00115	0.0000520		

1. Based on the Table 10 of the BAAQMD Final Determination of Compliance for the Mariposa Energy Project - November 2010
2. Emission factors from the John Deere Model JU6H-UFADM8 Emissions Data Spec Sheet (see attachment).
3. Based on the Table 9 of the BAAQMD Final Determination of Compliance for the Mariposa Energy Project - November 2010
4. Based on CCAR General Reporting Protocol (version 3.0, April 2008) Table C.6 emission factor for distillate oil of 10.15 kg/gal.
5. Based on CCAR General Reporting Protocol (version 3.0, April 2008) Table C.7 emission factor for distillate oil of 0.0003 kg CH4 / gal and 0.0001 kg N2O/gal.

Maximum Fuel usage is	10.4 Gal/hr	0.0104	1000 Gal/hr
	5.20 Gal/day	0.005200	1000 Gal/day
	520 Gal/yr	0.52	1000 Gal/yr

Calculation of MMBtu/hr for fire pump
1.428752 MMBTU/hr
where
maximum fuel use = 10.4 gal/hr
heating value of diesel fuel (HHV) = 137,380 Btu/gal

Pollutant	Emission Factor lb/1000 gallons	Emissions lb/hr	lb/day	lb/yr
Benzene	0.1863	0.00097	0.00097	0.0969
Formaldehyde	1.7261	0.0090	0.0090	0.898
Total PAHs (minus Naphthalene)	0.0362	0.00019	0.00019	0.0188
Naphthalene	0.0197	0.000102	0.000102	0.01024
Acetaldehyde	0.7833	0.0041	0.0041	0.407
Acrolein	0.0339	0.00018	0.00018	0.0176
1,3 Butadiene	0.2174	0.00113	0.00113	0.113
Chlorobenzene	0.0002	0.00000104	0.00000104	0.0001040
Dioxins	ND	ND	ND	ND
Furans	ND	ND	ND	ND
Propylene	0.467	0.0024	0.0024	0.243
Hexane	0.0269	0.00014	0.00014	0.0140
Toluene	0.1054	0.00055	0.00055	0.0548
Xylenes	0.0424	0.00022	0.00022	0.0220
Ethyl Benzene	0.0109	0.000057	0.000057	0.00567
Hydrogen Chloride	0.1863	0.00097	0.00097	0.0969
Arsenic	0.0016	0.0000083	0.0000083	0.000832
Beryllium	ND	ND	ND	ND
Cadmium	0.0015	0.0000078	0.0000078	0.000780
Hexavalent Chromium	0.0001	0.00000052	0.00000052	0.0000520
Copper	0.0041	0.000021	0.000021	0.00213
Lead	0.0083	0.000043	0.000043	0.00432
Manganese	0.0031	0.000016	0.000016	0.00161
Mercury	0.0020	0.000010	0.0000104	0.001040
Nickel	0.0039	0.000020	0.000020	0.00203
Selenium	0.0022	0.000011	0.0000114	0.00114
Zinc	0.0224	0.00012	0.000116	0.0116
			Total (lb/yr)	2.02

Emission Factor Source - Ventura County APCD AB-2588 Combustion Emission Factors, dated May 17, 2001