

**Metcalf Energy Center
99-AFC-2**

**Monthly Compliance Report #3
December 1 – December 31, 2001**

1. Project construction status

Top Grade began work on the access ramp adjacent to Monterey Road on December 11, 2001. The work is expected to take approximately 6 weeks to complete, however work was delayed due to heavy rain.

Installation of the cattle fence on Tulare Hill was completed on December 26, 2001. A summary of work can be found in the Biologist's report (attached).

A trailer was placed on site to temporarily house the General Contractor.

Activities planned for next month:

Sitework is expected to begin in January. These activities will be limited to those described in the authorization letter received October 12, 2001 from the CEC. Work will begin with installation of the access road, truck washdown area and the silt fence. A schedule of activities is attached.

2. Documents required to be submitted with Monthly Compliance Report

AQ-48	Summary of monthly activities related to the Fugitive Dust Control Plan is attached.
BIO-2	Summary of Designated Biologist's written records is attached.
BIO-6	Training was conducted on 12/11 and 12/13/01 to Top Grade and Calpine staff (attached).
CUL-5	Training was conducted on 12/11 and 12/13/01 to Top Grade and Calpine staff (attached).
CUL-8	A summary report is attached.
PAL-3	Training was conducted on 12/11 and 12/13/01 to Top Grade and Calpine staff (attached).
PAL-4	No paleo activities have occurred.
LAND-1	There is no update on trail developments.
SOCIO-1	List of planned procurement of materials and hiring outside the local regional area is attached.
GEN-3	Copy of CBO's receipt of payment

3. Compliance matrix

A Compliance Matrix is attached. The matrix includes the status of pre-mobilization and pre-construction Conditions of Certification.

4. Conditions that have been satisfied during the reporting period

WASTE-6	Hazardous Materials form submitted to County.
GEN-4	Resident Engineer resume re-submitted to CBO.
GEN-5	Registered engineer resumes re-submitted to CBO.

5. Submittal deadlines not met

There are no outstanding pre-mobilization submittals.

6. Approved COC changes

- A request for amendment was submitted 11/30/01 and approved 12/21/01. The amendment allows for an additional 14 acres of laydown area south of Blanchard Road and west of the railroad tracks.

7. Filings or permits with other agencies

- A permit (no. 01495) was received on November 30, 2001 from the Santa Clara Valley Water District to install a 24-inch diameter corrugated metal pipe stormwater outfall with rock slope protection to Fisher Creek.
- A permit was received from the City of San Jose to install the access ramp adjacent to Monterey Road and to improve the Monterey Road/Blanchard Road intersection.

8. Projection of project compliance activities for next two months (Jan.-Feb.)

AQ-40	Demonstrate valid emission reduction credits
AQ-41 and 51	Surrender emission reduction credits
AQ-42	Submit Major Facility Review Permit Application (Title V)
AQ-48	Will follow dust mitigation measures
AQ-49 and 50	Dust will be monitored and activities recorded
CUL-3	Will submit revised CRMMP for approval
CUL-4	Training video will be submitted for approval
CUL-5	Training will be provided as needed
CUL-7	Will submit weekly schedule to resource specialists
CUL-8	Cultural specialist will perform required duties when necessary
CUL-9	Cultural specialist will perform required duties when necessary
BIO-2	Biologist will perform required duties when necessary
BIO-6	Training will be provided as needed Training video will be submitted for approval
BIO-7	Submittal of permit application to Department of Fish and Game to install stormwater outfall
BIO-9	Submittal of permit application to U.S. Army Corps of Engineers to install stormwater outfall
SOIL/WATER-7	Submittal of permit application to Regional Water Quality Control Board to install stormwater outfall
PAL-3	Training will be provided as needed Training video will be submitted for approval
PAL-4	Paleo specialist will perform required duties when necessary

9. Additions to on-site compliance file

None

10. Requests to dispose of items

None

11. Listing of complaints, notices of violations, official warnings, and citations

Attached. Date and time of calls were not recorded.

12. List of facility design submittals, comments and approvals to CBO

Please see attached CBO matrix for detailed submittal list. No comments or approvals were received during the month of December.

SCHEDULE OF ACTIVITIES

METCALF ENERGY CENTER
MONTHLY COMPLIANCE REPORT #3

ID	Description	Dur	Start	Finish	Float	JAN				FEB								
						14	21	28	4	11	18	25	4					
22000	SURVEY/STAKING	40	14JAN02*	08MAR02	0													
22010	INSTALL SILT FENCE	4	21JAN02*	24JAN02	0													
22030	TREE REMOVAL	4	21JAN02	24JAN02	2													
22050	INST'L SECURITY FENCE- A	15	21JAN02	08FEB02	17													
22020	BUILD ACCESS ROAD	5	22JAN02	28JAN02	0													
22040	INSTALL PIPES ROAD	2	24JAN02	25JAN02	1													
22260	CONSTR. WASHDOWN AREA	2	25JAN02	28JAN02	0													
22060	CLEAR & STRIP SITE	5	29JAN02	04FEB02	0													
22080	PREP/RECOMPACT EXISTING GRADE	10	05FEB02	18FEB02	0													
22130	INSTALL FABRIC	4	05FEB02	08FEB02	12													
22110	OVER EXCAVATE RECOMPACT	10	08FEB02	21FEB02	0													
22250	IMPORT FILL	20	12FEB02	11MAR02	1													
22070	EXCAV. RETAIN'G WALL FT'GS	4	13FEB02	18FEB02	0													
22160	EXCAV./GRADE STORMWATER BASIN	10	13FEB02	26FEB02	0													
22090	FRP RETAIN'G WALL FT'GS	5	15FEB02	21FEB02	0													
22100	FRP CIP RETAIN'G WALLS	10	19FEB02	04MAR02	0													
22140	RAILROAD SPUR SUBBALLAST	3	22FEB02	26FEB02	0													
22120	SET PRECAST WALLS	10	26FEB02	11MAR02	0													
22150	RAILROAD BALAST/TIES	10	27FEB02	12MAR02	0													
22170	DRAINAGE PIPE/HEADWALL/BASIN	10	27FEB02	12MAR02	0													
22180	INST'L SECURITY FENCE- B	6	07MAR02	14MAR02	0													
22270	COMPLETE STRUCTURAL FILL	5	12MAR02	18MAR02	0													
22240	FINEGRADE	4	13MAR02	18MAR02	0													
22200	AC PAVEMENT	2	19MAR02	20MAR02	0													
22210	FINEGRADE SLOPES	3	21MAR02	25MAR02	0													
22220	HYDROSEED	3	26MAR02	28MAR02	0													
22230	SITework COMPLETE	1	29MAR02	29MAR02	0													

Start Date	14JAN02		Early Bar	MET1	M. A. MORTENSON	Sheet 1 of 1	Date	
Finish Date	29MAR02		Float Bar					
Data Date	14JAN02		Progress Bar					
Run Date	09JAN02 17:35		Critical Activity					
© Primavera Systems, Inc.				METCALF ENERGY CENTER- SITework		Classic Schedule Layout		

KEY EVENTS LIST

METCALF ENERGY CENTER
MONTHLY COMPLIANCE REPORT #3

KEY EVENTS LIST

PROJECT: Metcalf Energy Center **DATE ENTERED:** September 24, 2001

DOCKET #: 99-AFC-3 **PROJECT MANAGER:** Nick LaPorte

Event Description	Date Assigned
Date of Certification	September 24, 2001
Start Rough Grading	May 3, 2002
Complete Rough Grading	August 1, 2002
Start of Construction	November 4, 2002
Completion of Construction	January 5, 2004
Start of Operation (1 st Turbine Roll)	May 3, 2004
Start of Rainy Season	Mid-October
End of Rainy Season	Mid-March
Start T/L Construction	January 13, 2003
Complete T/L Construction	November 14, 2003
Start Fuel Supply Line Construction	September 3, 2002
Complete Fuel Supply Line Construction	September 5, 2003
Start of Water Supply Line Construction	April 1, 2002
Completion of Water Supply Line Construction	November 1, 2002
Start Implementation of Erosion Control Measures	May 3, 2002
Complete Implementation of Erosion Control Measures	June 1, 2004

CONDITION OF CERTIFICATION AQ-48

METCALF ENERGY CENTER
MONTHLY COMPLIANCE REPORT #3

CONDITION OF CERTIFICATION BIO-2

METCALF ENERGY CENTER
MONTHLY COMPLIANCE REPORT #3

METCALF ENERGY CENTER

MONTHLY COMPLIANCE REPORT

FOR DECEMBER 2001

**METCALF ENERGY CENTER
BIOLOGICAL MITIGATION MONITORING**

Summary from Designated Biologist, December 2001

The Co-Designated Biologist visited the project area to conduct an environmental training session on December 11, 2001. The session was filmed for future temporary use. Otherwise, the Designated Biologist and Co-Designated Biologist did not visit the site for any specific project-related task, however, the biological monitor was continuously on-site and/or on-call during site activities.

December 2001, site activities were limited to mobilization of office trailers on to the laydown area and Blanchard Road access enhancement.

All December activities were in compliance with designated biological conditions.

**Biological Resources
Mitigation Monitoring for the
Metcalf Energy Center**

MONTHLY COMPLIANCE REPORT #3

December 2001

Prepared by:

CH2M HILL

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Sacramento, California 95833

Biological Resources Mitigation Monitoring for the Metcalf Energy Center

Monthly Compliance Report-December 2001

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METCALF ENERGY CENTER

MONTHLY COMPLIANCE REPORT

December 2001

INTRODUCTION

The proposed Metcalf Energy Center (MEC) site is located in the Santa Clara Valley within the Urban Service Area of south San Jose. The MEC will be a 600-megawatt natural-gas-fired combined cycle power plant with the following features:

- A 230-kilovolt (kV) switchyard and approximately 240 feet of new 230-kV transmission line that will loop into the existing Pacific Gas and Electric (PG&E) 230-kV Metcalf-Monta Vista No. 4 transmission on Tulare Hill.
- An approximately one mile, 16-inch natural gas pipeline that will connect to an existing PG&E transmission backbone pipeline that runs along the eastern side of U.S. 101.
- An approximately 10.2-mile water pipeline from a tap into the South Bay Water Recycling Program's (SBWR) existing main pipeline in eastern San Jose will be used for cooling water.
- An approximately 1.2-mile water pipeline will supply domestic and backup water supplies.
- A stormwater detention basin and discharge outfall structure to Fisher Creek.
- A new access road from Monterey Road at the Blanchard Road junction and visual screening and landscape corridor along the new access road that will require 6 acres of agricultural land south of the MEC site.
- A second access road (west access road) may extend from Santa Teresa Boulevard to the MEC site that will require 2.0 acre of agricultural land.
- A temporary 10-acre construction laydown yard would be located in agricultural land south of the MEC site.

The project was designed to avoid significant negative impacts to sensitive biological resources to the furthest extent feasible. Mitigation measures were developed through consultation with the U. S. Fish and Wildlife Service, U. S. Army Corps of Engineers, National Marine Fisheries Service, California Department of Fish and Game, and Water Quality Control Board to minimize unavoidable project impacts. Permits and authorizations from these agencies included conditions that must be monitored by the Designated Biologist. The Biological Monitor will be present onsite during all phases of construction to ensure compliance with the mitigation measures outlined in the *Biological Resources Mitigation Implementation and Monitoring Plan* (BRMIMP). The following report includes all MEC project activities monitored during December 2001.

MONITORED MITIGATION MEASURES

A Worker Environmental Awareness Training (WEAT) program has been developed exclusively for the MEC project. Program materials include a handbook, video, and poster. In December, the WEAT program was administered using a training video recorded during a comprehensive presentation delivered on December 11, 2001. The WEAT was completed and administered as required by BIO-6 of the "Conditions of Certification"(COC) from the CEC *Commission Decision*.

The installation of the Tulare Hill property and cattle exclusion fences that began in November, was completed in December. In December, work was initiated on the construction of the MEC access ramp off Monterrey Road, and the mobilization of temporary facilities on to the laydown yard.

In compliance with COC BIO-2 and BIO-13, the Biological Monitor examined and cleared the fencing, road construction, and laydown areas immediately prior to and during activities. The Monitor was available throughout the month to respond to biological issues as needed. December activities are described below.

SUMMARY OF ACTIVITIES

This report includes project activities that took place during December 2001. December activities included installation of a property and cattle exclusion fence, off-site access ramp construction, laydown yard mobilization, and the presentation of the WEAT program to project personnel. These activities are described below. Relevant photographs are included in Attachment A. A cumulative wildlife species list is included in Attachment B. The Biological Monitor completes daily logs summarizing activities, personal interactions, and observations. These logs are available upon request.

Cattle Fence Installation

Management of Tulare Hill includes the use of cattle to control the growth of non-native grasses. Therefore, a property fence is required around the 116-acre portion of the Preserve. In addition, exclusion fences are to be installed to keep the cattle out of Fisher Creek, riparian enhancement areas, wetlands, and springs. Fence installation commenced in November and was performed by Precision Trades.

During the month of December, the contractor continued installing t-posts, stringing barbed wire, and installing access gates. T-post were primarily driven into the ground by hand. A portable drill was used when the post locations included subsurface rock. Barbed wire was strung on foot along the fence line. The configuration includes five strands of barbed wire spaced eight inches apart. A hand auger was used to drill large support pole holes for 3 metal gates located in the enhancement areas of the preserve. The bases of these gate support poles were reinforced with concrete. Two barbed wire gates were installed along the PG&E boundary on Tulare Hill.

During fence installation, the Biological Monitor performed clearance surveys for Bay checkerspot butterfly larvae along the fence alignment immediately prior to the ongoing work. No butterfly larvae or other special-status species were observed.

Precision Trades completed fence work on December 26, 2001. Photographs of fence installation are included in Appendix A.

Road Work Activities

The access road entering the Metcalf Energy Center site from Monterey and Blanchard Roads requires construction of an off-ramp from Monterey Road. Construction includes removing a decommissioned truck scale and old blacktop road surface. The access ramp will include a new road surface and associated guardrails. The road work is being performed by Top Grade.

On December 11, 2001, Top Grade commenced roadwork activities. The work site is located on the west shoulder of Monterey Road east of the Union Pacific Railroad. Fisher Creek is approximately 1000 feet to the north and Blanchard Road borders the work site to the south. The work site is on City of San Jose property.

A backhoe was required to removed a truck scale and associated features including concrete curbing and light poles. Several truckloads of fill material were transported onto the site. In addition, a grinding machine removed the existing road surface. Temporary barricades were installed to close off the site from the general public.

A considerable amount of rainfall occurred during the last two weeks of December. On December 19, 2001, Top Grade constructed an erosion/sedimentation control check-dam at the north end of the site. The structure is composed of crushed rock and is approximately 20-ft long, 4-ft wide, and 3-ft tall. The check-dam is designed to filter stormwater that flows south to north from the construction site. Fisher Creek receives stormwater via a road-side ditch located adjacent to Monterrey Road just north of the construction site. The check-dam is positioned between the construction site and the roadside ditch. Top Grade will continue to use the check-dam until the road work is completed and surfaced with new asphalt.

The Biological Monitor performed daily spot checks of the road work activities and monitored the effectiveness of the check dam. Road construction will likely continue into February 2002.

Site Mobilization Activities

M.A. Mortenson Company is the proposed facility construction contractor. M.A. Mortenson employees arrived on site during December to prepare for site mobilization. December mobilization activities included placement of a temporary office on the laydown yard.

On December 11, 2001, M.A. Mortenson began grading a small portion of the laydown yard for placement of a mobile trailer unit. The laydown yard is located on a cleared agricultural field. The area had been previously surveyed by project biologists. After grading, the pad was stabilized with a base-rock material. On December 13, 2001, the portable office was placed on the pad. The trailer and associated parking area was enclosed by a fabric silt fence.

A gopher snake (*Pituophis melanoleucus*) was inadvertently killed during the grading of the pad site. Kirk Baily (M.A. Mortenson) flagged off an area around the carcass until the Biological Monitor arrived. The Biological Monitor moved the snake to the Fisher Creek riparian corridor. A Wildlife Observation Form associated with the incident is included in Appendix C.

WORKER ENVIRONMENTAL AWARENESS TRAINING

On December 11, 2001, the second formal Worker Environmental Awareness Training (WEAT) was held at the local Grange Hall. In the absence of the yet to be completed training video, the program was presented by project's biology, cultural, and paleontological specialists. The program included distribution of WEAT handbooks, individual presentations, and a question and answer period. Twenty-one people attended the session.

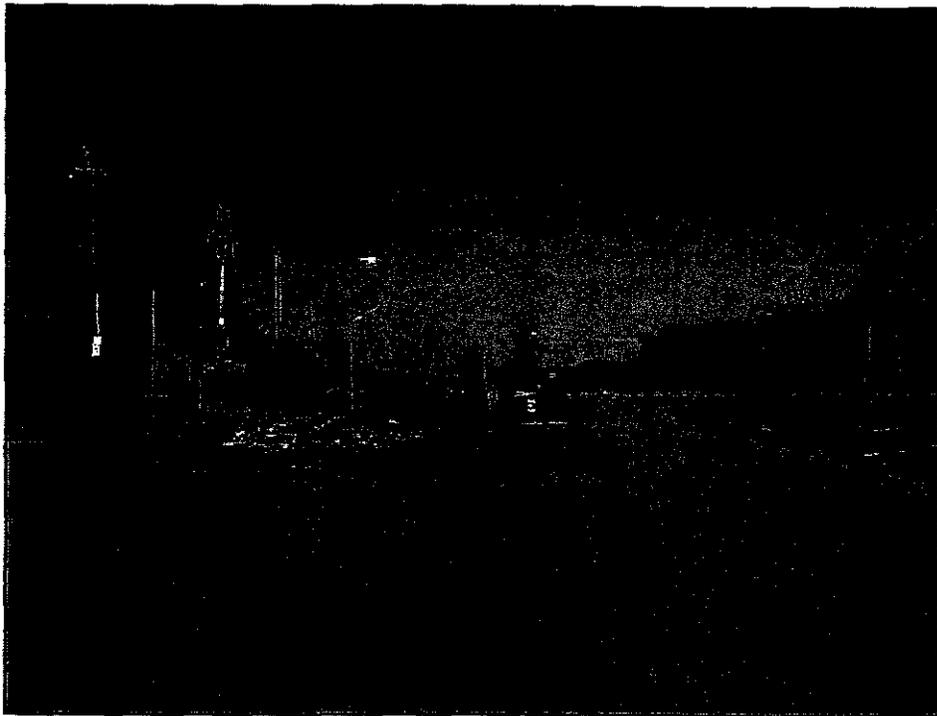
The December 11 session was captured on video, which was used for subsequent training sessions. This video will be used in training until the professionally produced video is completed. A total of 29 personnel received WEAT training during December for a total of 42 employees trained at MEC. A list of the December WEAT attendees is included in Appendix D.

GENERAL NOTES AND OBSERVATIONS

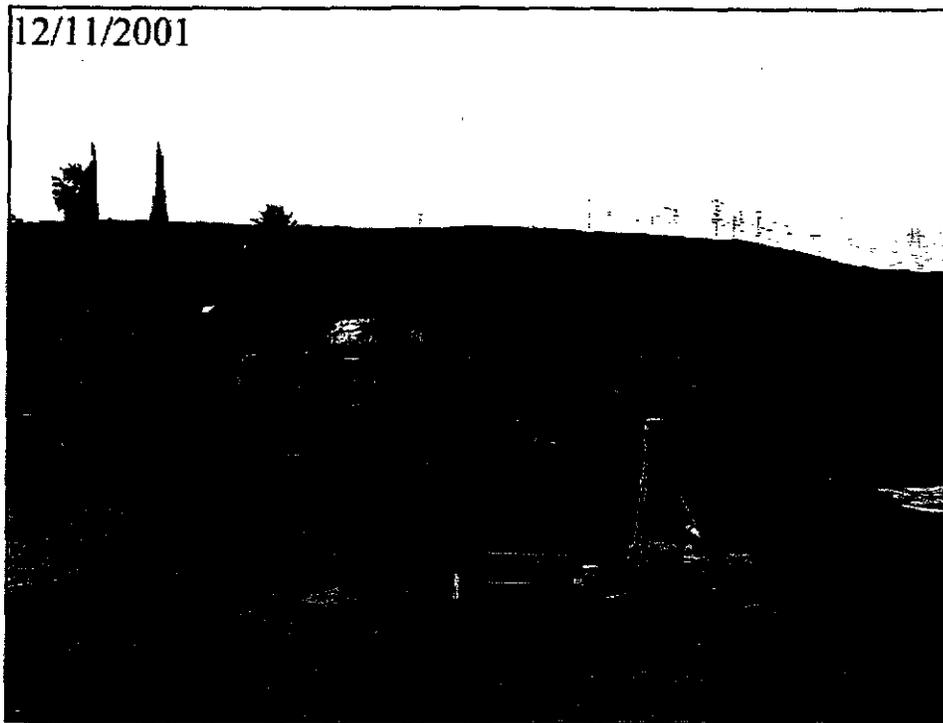
December work activity was light due to holidays and inclement weather.

APPENDIX A

Photographs



Blanchard Road Access Enhancement Work



Office Trailer Mobilization on Laydown Yard

APPENDIX B

**Cumulative Wildlife Species Observed in or Near the
Project Area**

**Cumulative Wildlife Species Observed In or Near the Metcalf Energy Center Project
and Linear Facilities Area (May 2001 to December 31, 2001)**

Common Name	Scientific Name	Location
INSECTS		
Cabbage white butterfly	<i>Pieris rapae</i>	EC
Buckeye butterfly	<i>Precis coenia</i>	TH
Painted lady butterfly	<i>Vanessa cardui</i>	EC
Tarantula	<i>Eurypelma californicum</i>	TH
AMPHIBIANS AND REPTILES		
Pacific tree frog	<i>Hyla regilla</i>	TH
Arboreal salamander	<i>Aneides lugubris</i>	TH
Western fence lizard	<i>Sceloporus occidentalis</i>	EC, TH
Side-blotched lizard	<i>Uta stansburiana</i>	EC
Southern alligator lizard	<i>Elgaria multicarinata</i>	EC, TH
Western skink	<i>Eumeces skiltonianus</i>	TH
Gopher snake	<i>Pituophis melanoleucus</i>	EC, LA
BIRDS		
Pied-billed grebe	<i>Podilymbus podiceps</i>	FC
Double-crested cormorant	<i>Phalacrocorax auritus</i>	CC*
Canada goose	<i>Branta canadensis</i>	EC*
Mallard	<i>Anas platyrhynchos</i>	FC
Wood duck	<i>Aix sponsa</i>	FC
American coot	<i>Fulica americana</i>	FC
American white pelican	<i>Pelecanus erythrorhynchos</i>	EC*
Great blue heron	<i>Ardea herodias</i>	FC
Green heron	<i>Butorides virescens</i>	FC
Great egret	<i>Casmerodius albus</i>	FC
Killdeer	<i>Charadrius vociferus</i>	LA, LEA*
White-tailed kite	<i>Elanus leucurus</i>	FC
Northern harrier	<i>Circus cyaneus</i>	FC, TH
Turkey vulture	<i>Cathartes aura</i>	EC*, TH
Golden eagle	<i>Aquila chrysaetos</i>	TH
Osprey	<i>Pandion heliaetus</i>	CC*, TH, EC, FC
Sharp-shinned hawk	<i>Accipiter striatus</i>	FC, TH
Cooper's hawk	<i>Accipiter cooperii</i>	CC, EC*, FC
<p>Location: CC = Coyote Creek Riparian Corridor EC = Metcalf Energy Center Plant Site FC = Fisher Creek Riparian Corridor GP = Gas Pipe Line Corridor LA = Laydown Area TH = Tulare Hill Ecological Preserve TL = Transmission Line Corridor WL = Water Line Corridor LEA = Proposed laydown expansion area</p>		
<p>Notes: * Flyover or otherwise not utilizing area resources. ** Non-active sign (i.e. carcass, feather, nest)</p>		

**Cumulative Wildlife Species Observed In or Near the Metcalf Energy Center Project
and Linear Facilities Area (May 2001 to December 31, 2001) (Continued)**

Common Name	Scientific Name	Location
BIRDS (continued)		
Red-shouldered hawk	<i>Buteo lineatus</i>	EC, FC
Red-tailed hawk	<i>Buteo jamaicensis</i>	EC, FC, GP, TH, TL
American kestrel	<i>Falco sparverius</i>	EC, TH
Prairie falcon	<i>Falco mexicanus</i>	TH
Mourning dove	<i>Zenaida macroura</i>	EC, FC, TH, TL
Rock dove	<i>Columba livia</i>	EC*, TH*
Anna's hummingbird	<i>Calypte anna</i>	TH
Hummingbird sp.		EC, TH, FC
Belted kingfisher	<i>Ceryle alcyon</i>	FC, EC*
Northern flicker	<i>Colaptes auratus</i>	EC, FC, TH
Nuttall's woodpecker	<i>Picoides nuttallii</i>	FC, EC
Downy woodpecker	<i>Picoides pubescens</i>	EC, FC
Black phoebe	<i>Sayornis nigricans</i>	EC, FC, TL, LEA
Say's phoebe	<i>Sayornis saya</i>	LEA
Western scrub-jay	<i>Aphelocoma californica</i>	EC, FC, LEA
Common raven	<i>Corvus corax</i>	EC, TH, FC
Oak titmouse	<i>Baeolophus inornatus</i>	FC
Bushtit	<i>Psaltriparus minimus</i>	EC, FC, GP, TL
White-breasted nuthatch	<i>Sitta carolinensis</i>	FC
Bewick's wren	<i>Thryomanes bewickii</i>	FC, TH
Rock wren	<i>Salpinctes obsoletus</i>	FC, TH
Ruby-crowned kinglet	<i>Regulus calendula</i>	TH, FC
Northern mockingbird	<i>Mimus polyglottos</i>	EC, FC
Loggerhead shrike	<i>Lanius ludovicianus</i>	TH, FC, EC
European starling	<i>Strunus vulgaris</i>	LEA, FC, EC
Rose-breasted grosbeak	<i>Pheucticus ludovicianus</i>	EC
California towhee	<i>Pipilo crissalis</i>	EC, TH
White-crowned sparrow	<i>Zonotrichia leucophrys</i>	EC, FC, TH
Song sparrow	<i>Melospiza melodia</i>	EC, LA, LEA
Dark-eyed junco	<i>Junco hyemalis</i>	FC, TH
Yellow-rumped warbler	<i>Dendroica magnolia</i>	TH
Location:		
CC = Coyote Creek Riparian Corridor		TH = Tulare Hill Ecological Preserve
EC = Metcalf Energy Center Plant Site		TL = Transmission Line Corridor
FC = Fisher Creek Riparian Corridor		WL = Water Line Corridor
GP = Gas Pipe Line Corridor		LEA = Proposed laydown expansion area
LA = Laydown Area		
Notes:		
* Flyover or otherwise not utilizing area resources.		
** Non-active sign (i.e. carcass, feather, nest)		

**Cumulative Wildlife Species Observed In or Near the Metcalf Energy Center Project
and Linear Facilities Area (May 2001 to December 31, 2001) (Continued)**

Common Name	Scientific Name	Location
BIRDS (CONTINUED)		
Western meadowlark	<i>Sturnella neglecta</i>	EC, LA
Red-winged blackbird	<i>Agelaius phoeniceus</i>	FC
Brewer's blackbird	<i>Euphagus cyanocephalus</i>	FC, EC
House finch	<i>Carpodacus mexicanus</i>	EC
American goldfinch	<i>Carduelis tristis</i>	LEA
Lesser goldfinch	<i>Carduelis psaltria</i>	EC, FC
House sparrow	<i>Passer domesticus</i>	EC, FC
MAMMALS		
Striped skunk	<i>Mephitis mephitis</i>	TH**
Opossum	<i>Didelphis marsupialis</i>	EC
Coyote	<i>Canis latrans</i>	TH
Feral cat	<i>Felis catus</i>	EC
California ground squirrel	<i>Spermophilus beechyi</i>	EC, FC, TH, TL
Western gray squirrel	<i>Sciurus griseus.</i>	FC
Unidentified mouse	<i>Peromyscus spp.</i>	TH
Norway Rat	<i>Rattus norvegicus</i>	EC
Black-tailed jackrabbit	<i>Lepus californicus</i>	EC
Mule (black-tailed) deer	<i>Odocoileus hemionus</i>	FC, GP
Location:		
CC = Coyote Creek Riparian Corridor		TH = Tulare Hill Ecological Preserve
EC = Metcalf Energy Center Plant Site		TL = Transmission Line Corridor
FC = Fisher Creek Riparian Corridor		WL = Water Line Corridor
GP = Gas Pipe Line Corridor		LEA = Proposed laydown expansion area
LA = Laydown Area		
Notes:		
* Flyover or otherwise not utilizing area resources.		
** Non-active sign (i.e. carcass, feather, nest)		

APPENDIX C

Wildlife Observation Forms

Figure B-1. Wildlife Observation Form

WILDLIFE OBSERVATION FORM	
To Record Animals Found In Metcalf Energy Center Project 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:	<i>Kirk Baily</i>
Date:	<i>12/11/01</i>
Location of observation:	<i>Laydown Area</i>
Condition of wildlife:	alive <input type="checkbox"/> dead <input checked="" type="checkbox"/>
Species:	<i>Pine-gopher snake (Pituophis melanoleucus)</i>
Possible cause of injury or death:	<i>Ran over by tractor</i>
Where is the animal currently?	<i>Fisher creek riparian corridor</i>
Is the resource in danger of project (or other) impacts?	<i>No</i>
Comments:	<i>Contractor (Top Grade) stopped worked immediately and contacted the Biological monitor. The Biological monitor removed the specimen from the site to the Fisher creek riparian corridor</i>
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 and United States Fish and Wildlife Service to protect fish, wildlife and vegetation from construction impacts.	
DESIGNATED BIOLOGIST: Debra Crowe (916) 920-0212 ext. 385	
BIOLOGICAL FIELD MONITOR: Todd Ellwood (408) 839-2402	
COMPANY: CH2MHILL ADDRESS: 2485 Natomas Park Drive, St. 600, Sacramento, CA 95833	
USFWS CONTACT: Cecilia Brown (916) 414-6625	
CDFG CONTACT: Mark Imsdahl (707) 944-5512	

APPENDIX D

WEAT Sign-In Sheets

**METCALF ENERGY CENTER
ENVIRONMENTAL TRAINING
SIGN-IN SHEET**

(Biology, Archaeology, & Paleontology)

DATE: 12/11/01

PLEASE NOTE:

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

Name (print)	Name (signature)	Company
Aaron S. TERRELL	<i>Aaron S. Terrell</i>	Top Grade Con.
Jose Jaime Muñoz	<i>Jose Jaime Muñoz</i>	Top Grade Con.
Garry Fox	<i>Garry Fox</i>	Top Grade Co.
Dan May	<i>Dan May</i>	Top Grade
KIP FLEWELING	<i>Kip Fleweling</i>	TOP GRADE
Saul Gorman	<i>Saul Gorman</i>	TOP GRADE
JOSE JESUS VAZQUEZ	<i>Jose Jesus Vazquez</i>	TOP GRADE
Eduardo Aguilera	<i>Eduardo Aguilera</i>	TOP GRADE
JAMES MARTIN RUIZ	<i>James M. Ruiz</i>	TOP GRADE
JOSE M. SOLIS	<i>Jose M. Solis</i>	TOP GRADE
Mike Campanella	<i>Mike Campanella</i>	Campanella Corp.
RICK GAFFERT	<i>Rick Gaffert</i>	TOP GRADE
EMMITT BOLT	<i>Emmitt Bolt</i>	Top Grade
MANUEL ANGE	<i>Manuel Ange</i>	CAMPANELLA
MIGUEL BASILIAS	<i>Miguel Basillas</i>	Campanella
Juan Ortega	<i>Juan Ortega</i>	CAMPANELLA
Larry Tucker	<i>Larry Tucker</i>	Campanella

Herbert H

Instructor/s: John Cleckler, Colin Busby, Lanny Fisk

**METCALF ENERGY CENTER
ENVIRONMENTAL TRAINING
SIGN-IN SHEET**

(Biology, Archaeology, & Paleontology)

DATE: 12/11/01

PLEASE NOTE:

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

Name (print)	Name (signature)	Company
Herbert Hutchison	<i>[Signature]</i>	Top Grade
Paul Greathouse	<i>[Signature]</i>	TOP GRADE
Tedd Ellwood	<i>[Signature]</i>	CH2M Hill
JASPAL SAINI	<i>[Signature]</i>	Paleo Resource Council
KIRK BAILEY	<i>[Signature]</i>	M.A. Morison.

Instructor/s: John Cleckler, Colin Busby, Lanny Fisk

CONDITION OF CERTIFICATION BIO-6, CUL-5, PAL-3

METCALF ENERGY CENTER
MONTHLY COMPLIANCE REPORT #3

**METCALF ENERGY CENTER
ENVIRONMENTAL TRAINING
SIGN-IN SHEET**

(Biology, Archaeology, & Paleontology)

DATE: 12/11/01

PLEASE NOTE:

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Name (print)	Name (signature)	Company
Avon S. TERRELL	<i>Avon S. Terrell</i>	Top Grade Con.
Jose Jaime Muñoz	<i>Jose Jaime Muñoz</i>	Top Grade Con.
Gary Fox	<i>Gary Fox</i>	Top Grade Co.
Dan May	<i>Dan May</i>	Top Grade
KIP FLEWELING	<i>Kip Fleweling</i>	TOP GRADE
Saul Guzman	<i>Saul Guzman</i>	TOP GRADE
Jose Jesus Vazquez	<i>Jose Jesus Vazquez</i>	TOP GRADE
Eduardo Aguilera	<i>Eduardo Aguilera</i>	TOP GRADE
JAMES MARTIN RUIZ	<i>James Martin Ruiz</i>	TOP GRADE
JOSE M. SOLIS	<i>Jose M. Solis</i>	TOP GRADE
Mike Campanella	<i>Mike Campanella</i>	Campanella Corp.
Rick GARNETT	<i>Rick Garnett</i>	TOP GRADE
EMMITT BOLT	<i>Emmitt Bolt</i>	Top Grade
MANUEL ANGE	<i>Manuel Ange</i>	CAMPANELLA
MARCELO SILLAS	<i>Marcelo Sillas</i>	CAMPANELLA
Juan Ortega	<i>Juan Ortega</i>	CAMPANELLA
Larry Tucker	<i>Larry Tucker</i>	Campanella
Herbert H		

Instructor/s: John Decker, Colin Busby, Lanny Fisk

**METCALF ENERGY CENTER
ENVIRONMENTAL TRAINING
SIGN-IN SHEET**

(Biology, Archaeology, & Paleontology)

DATE: 12/11/01

PLEASE NOTE:

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

Name (print)	Name (signature)	Company
Herbert Hutchison	<i>Herbert Hutchison</i>	Top Grade
Paul Greathouse	<i>Paul Greathouse</i>	Top Grade
Tedd Ellwood	<i>Tedd Ellwood</i>	CH2M Hill
Jasral Sans	<i>Jasral Sans</i>	Palco Resource Council
Kirk Bailey	<i>Kirk Bailey</i>	M.A. Mortenson.

Instructor/s: John Cleckler, Colin Busby, Lanny Fisk

CONDITION OF CERTIFICATION CUL-8

METCALF ENERGY CENTER
MONTHLY COMPLIANCE REPORT #3

METCALF ENERGY CENTER PROGRESS REPORT

December 2001

TO: Kristen Sipes, Calpine
RE: Progress Report, Cultural Resources, December 2001
FROM: Colin I. Busby, CRS
DATE: 8 January, 2002

Please let this memo serve as Basin Research Associates' progress report for the Metcalf Energy Center for December, 2001.

Training

Dr. Colin I. Busby, CRS, participated in a training session on December 11 with the other discipline specialists to brief construction crew members working on the access road(s). This session was video taped for future use.

Field Activity

Basin Research Associates initiated no field monitoring or other field work during this month. Minor office activities including briefing the monitors on mandated future training (environmental and safety) was undertaken. Both Mr. Robert Harmon and Mr. Stuart Guedon, Monitors, were kept informed of the project's progress.

Other

Dr. Colin I. Busby responded to a Calpine request on December 17, 2001 to contact Mr. Gary Reinoehl (CEC CVS Unit) in regard to his memo of December 11, 2001 on the Metcalf, Amendment to add 14-acres of laydown area. Dr. Busby and Mr. Reinoehl reviewed and discussed the memo. Modifications and corrections were discussed and the results presented to Ms. Sipes who forwarded the corrections to Mr. Reinoehl on December 18, 2001. Several corrections of fact were made and a commitment to comply with CUL-3(f) was added. Mr. Reinoehl also suggested that Basin Research Associates' memo *Archaeological Field Review of Proposed Laydown Area as per CUL 18 (11/12/01)* be forwarded to the California Historical Resources Information System, Northwest Information Center at CSU Sonoma for an official file number. This will be completed in the first quarter of 2002.

Mr. Reinoehl also issued a *Programmatic Treatment of Cultural Resource Discoveries* for review and comment (12/18/01). This three page document is currently in review by Basin Research Associates and other cultural resources contractors.

CONDITION OF CERTIFICATION SOCIO-1

METCALF ENERGY CENTER
MONTHLY COMPLIANCE REPORT #3

SOCIO-1: List of planned procurement of materials or hiring outside the local regional area during the next two months.

Material/equipment	Manufacturer	Point of Origin	Reason
Cooling towers	Marley	Kansas (may also include other locations throughout the United States)	Not available locally
Boiler Feed Pumps	Sulzer	Germany (manufacturer)	Not available locally
Boiler Feed Pumps	Chalfont	Pennsylvania (international supplier)	Not available locally
Distributed Control System	Alfaraetta	Georgia	Manufactured located outside of the area
Construction Switch Gear	General Electric Industrial Systems	California	Manufactured located outside of the area

CONDITION OF CERTIFICATION GEN-3

METCALF ENERGY CENTER
MONTHLY COMPLIANCE REPORT #3



WILLDAN

Serving Public Agencies
2399 Gateway Oaks Drive, Suite 210
Sacramento, CA 95833
(916) 924-7000

Page 2 of 2

INVOICE

021-6519

Invoice Date:

15-Nov-01

To: **Mr. Nick LaPorte**

Calpine

4160 Dublin Boulevard, 2nd Floor

Dublin, CA 94568

Project/Org.#

13254/02-140

FOR PROFESSIONAL SERVICES PROVIDED THROUGH 11/2/01

Phase 4000 - Mechanical

Senior Plans Examiner	David Newman	2.0	\$85	\$170.00
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TOTAL AMOUNT DUE: \$22,063.00

Please remit to:

WILLDAN

P.O. Box 25385

Santa Ana, CA 92799-5385

N. LaPorte
12/3/01

Purchase Order # _____

GL Bus. Unit _____

GL Account # _____

Department # 1042133

Project ID CA0004-03

Project Mgr. _____ Date _____

Dept. Mgr. Yvonne S. Chen Date 12/1/01

Terms: Accounts are payable within 15 days unless special arrangements are made.
A service charge of 1.5% per month may be levied on overdue unpaid balances.

PRE-CONSTRUCTION COMPLIANCE MATRIX

METCALF ENERGY CENTER
MONTHLY COMPLIANCE REPORT #3

1/14/2002

METCALF ENERGY CENTER
CEC CONDITIONS OF CERTIFICATION SCHEDULE MATRIX

Condition No.	Requirements & Task Summary	Action required	Event	Require Submit date
AQ-39	With in 180 days of the issuance of the Authority to Construct for the MEC, the Owner/Operator shall contact the BAAQMD Technical Services division regarding requirements for the continuous monitors, sampling ports, platforms, and source tests required by conditions 27, 30, 31, 33 & 47. All source testing and monitoring shall be conducted in accordance with the BAAQMD Manual of Procedures. (Regulation 1-501)	With in 180 days of the issuance of the Authority to Construct for the MEC, the Owner/Operator shall contact the BAAQMD Technical Services division. The owner/operator shall notify the CEC CPM at least seven (7) working days before these contacts are made.	180 days after Issuance of Authority to Construct	12/19/2
AQ-40	Demonstrate valid emission reduction credits in the amount of 212.75 tons/year of NOx and 28 tons/yr of POC or equivalent as defined by District Regulations 2-2-302.1 and 2-2-302.2 are under enforceable contracts or option to purchase agreements or equivalent binding legal documents. (offsets)	No more than 30 days after the issuance of an Authority to Construct, the Owner/Operator shall provide a copy of the ATC to the CEC CPM for review.	30 days after Issuance of Authority to Construct	12/19/2
AQ-41	Provide to District valid emission reduction credit banking certificates in the amount of 212.75 ton/yr of Nox and 28 tons/yr of POCs or equivalent as defined by Regulations 2-2-302.1 and 2-2-302.2. (offsets, CEC)	At least 30 days prior to the start of construction, the owner/operator must submit a copy of the required offset or emission reduction credit (ERCs)certificates to the CEC CPM.	30 days prior to Start of Construction	12/19/2
AQ-42	Submit an application to the BAAQMD for a major facility review permit within 12 months of the issuance of the PSD permit for the MEC. (Regulation 2-6-404.1)	Submit an application to BAAQMD major facility review permit. The owner/operator shall notify the CEC CPM of the submittal of this application.	360 days after Issuance of PSD Permit	12/19/2
AQ-42	Submit an application to the BAAQMD for a major facility review permit within 12 months of the issuance of the PSD permit for the MEC. (Regulation 2-6-404.1)	In addition, the owner/operator shall submit to the CPM a copy of the Federal (Title V)Operating Permit within 30 days after it is issued by the District.	144 days after Issuance of PSD Permit	12/19/2
AQ-48	Implement a CPM approved Fugitive Dust Control Plan during construction. Refer to AQ 48 for specific requirements.	Not later than sixty (60)days prior to the commencement of construction, the project owner shall submit the plan to the CEC CPM for review and approval	60 days prior to Start of Construction	12/19/2
AQ-49	During construction owner shall: 1. Prevent or remove within 1-hour the track-out of bulk material into public paved roads as a result of their operations or take actions listed in Table 2 to prevent and/or remove this material (when track-out extends more than 50 feet onto public roads. 2. Install and use a track-out control device to prevent the track-out of bulk material from areas containing soils requiring corrective action (see Drawing No. 5-1) 3. Minimize fugitive particulate emission from vehicular traffic (on-site paved roads and paved parking areas) by vacuum mechanical sweeping or water flushing of road surface to remove buildup of loose material. Daily inspections of conditions mandated.	The project owner shall maintain a daily log during the construction phase of the project indicating: 1) the manner in which compliance with AQ-2 is achieved and 2) the date and time when the inspection of paved roads and parking lots occurs and the date and time(s)when the cleaning operation occurs. The logs shall be made available to the CEC CPM upon request.	Start of Construction	12/19/2
AQ-50	At any time when fugitive dust from Metcalf Energy Center project construction is visible in the atmosphere beyond the property line, the project owner will identify the source of the fugitive dust and implement one or more of the appropriate control measures specified in Table 3.	The project owner will maintain a daily log recording the dates and times that measures in Table 3 (attached) have been implemented and make them available to the CEC CPM upon request.	Start of Construction	12/19/2
AQ-51	Prior to the start of construction, the Metcalf Energy Center owner/operator must provide the District with valid ERC certificates for PM10 for the amount of 29.21 tons per year and for VOC for the amount of 124.2 tons per year from the sources noted in Condition 51. This portion of required PM10 and VOC ERCs and offsets are to be provided in addition to the requirements of Condition 41.	At least 30 days prior to the start of construction, the project owner must submit a copy of the required ERC certificates to the CPM and the District.	30 days prior to Start of Construction	12/19/2

METCAL ENERGY CENTER

CEC CONDITIONS OF CERTIFICATION SCHEDULE MATRIX

1/14/2002

Condition No.	Requirements & Task Summary	Action required	Event	Require Submitti date
AQ-52	<p>The project owner shall mitigate, to the extent practical, construction related emission impacts from off-rad, diesel fired construction equip. Available mitigation measures include: catalyzed diesel particulate filters, ultra-low-sulfur diesel fuel, (S < 15 ppm), diesel engines certified to EPA/CARB 1996 or newer standards, limit idle time (to extent practical) to <10 minutes. Construction Mitigation Mgr. (CMM), avialbe at the project site, will determine (in advance) the use of each mitigation measure. The CMM must be approved by the CPM prior to submission of reports. The CMM shall submit the following to the CPM for approval: Const. Mitigation Plan, Reports of Change/Mitigation Implementation, Reports of Emergency Termination of Mitigation, as necessary. Details of Plans shown in Condition AQ-52.</p>	<p>Submit to the CPM for approval the qualifications of the CMM at least 45 days prior to due date for diesel construction equipment.</p>	<p>45 days prior to breaking ground</p>	<p>11/12/2</p>
AQ-52	<p>The project owner shall mitigate, to the extent practical, construction related emission impacts from off-rad, diesel fired construction equip. Available mitigation measures include: catalyzed diesel particulate filters, ultra-low-sulfur diesel fuel, (S < 15 ppm), diesel engines certified to EPA/CARB 1996 or newer standards, limit idle time (to extent practical) to < 10 minutes. Const. Mitigation Mgr. (CMM), avialbe at the project site, will determine (in advance) the use of each mitigation measure. The CMM must be approved by the CPM prior to submission of reports. The CMM shall submit the following to the CPM for approval: Const. Mitigation Plan, Reports of Change/Mitigation Implementation, Reports of Emergency Termination of Mitigation, as necessary. Details of Plans shown in Condition AQ-52.</p>	<p>Submit Construction Equipment Mitigation Plan 30 days prior to rough grading or construction of linear facilities.</p>	<p>30 days prior to breaking ground</p>	<p>11/12/2</p>
WORKER SAFETY-1	<p>The project owner shall submit to the CPM a copy of the Project Construction Safety and Health Program, containing the following: A Construction Injury and Illness Prevention Program, A Construction Fire Protection and Prevention Plan, A Personal Protective Equipment Program. The Construction Injury and Illness Prevention Program and the Personal Protective Equipment Program shall be submitted to the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) Consultation Service, for review and comment concerning compliance of the program with all applicable Safety Orders. The Construction Fire Protection and Prevention Plan shall be submitted to the city of San Jose Fire Department for review and acceptance.</p>	<p>At least 30 days prior to the start of construction, or a date agreed to by the CPM, the project owner shall submit to the CPM a copy of the Project Construction Safety and Health Program and the Personal Protective Equipment Program, with a copy of the cover letter transmittal of the programs to Cal/OSHA Consultation Service.</p>	<p>30 days prior to start of Construction</p>	<p>12/19/2</p>
WORKER SAFETY-1	<p>The project owner shall submit to the CPM a copy of the Project Construction Safety and Health Program, containing the following: A Construction Injury and Illness Prevention Program, A Construction Fire Protection and Prevention Plan, A Personal Protective Equipment Program. The Construction Injury and Illness Prevention Program and the Personal Protective Equipment Program shall be submitted to the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) Consultation Service, for review and comment concerning compliance of the program with all applicable Safety Orders. The Construction Fire Protection and Prevention Plan shall be submitted to the city of San Jose Fire Department for review and acceptance.</p>	<p>At least 30 days prior to the start of construction, or a date agreed to by the CPM, the project owner shall submit to the CPM a letter from the San Jose Fire Department stating that they have reviewed and accepted the Construction Fire Protection and Prevention Plan.</p>	<p>45 days prior to start of Construction</p>	<p>12/19/2</p>

1/14/2002

METCAL ENERGY CENTER
CEC CONDITIONS OF CERTIFICATION SCHEDULE MATRIX

Condition No.	Requirements & Task Summary	Action required	Event	Require Submit date
WORKER SAFETY-3	The project owners shall reach an agreement with the City of San Jose Fire Department, through the City of San Jose Community Facilities District, on the amount of fees and timing of payment they will provide to cover project-specific impacts associated with worker safety and fire protection. If an agreement cannot be reached at least 60 days prior to construction, the project owner will inform the CPM and propose a plan to mitigate impacts on fire services. The plan shall include interim funding of an additional fire station, staffing, equipment, one engine, truck; requirements for water main distribution lines, public water lines, public (off-site) and private (onsite) fire hydrants. Within 60 days the CPM in consultation with the parties will propose an interim fee schedule for payment by the project owners.	Not later than 60 days prior to any ground disturbance, the project owners shall provide the CPM with a copy of an agreement with the City of San Jose Fire Department or shall provide an interim plan to address impacts until a permanent agreement can be reached.	60 days prior to ground disturbing activity	11/12/2
WORKER SAFETY-3	The project owners shall reach an agreement with the City of San Jose Fire Department, through the City of San Jose Community Facilities District, on the amount of fees and timing of payment they will provide to cover project-specific impacts associated with worker safety and fire protection. If an agreement cannot be reached at least 60 days prior to construction, the project owner will inform the CPM and propose a plan to mitigate impacts on fire services. The plan shall include interim funding of an additional fire station, staffing, equipment, one engine, truck; requirements for water main distribution lines, public water lines, public (off-site) and private (onsite) fire hydrants. Within 60 days the CPM in consultation with the parties will propose an interim fee schedule for payment by the project owners.	If an agreement cannot be reached at least 60 days prior to construction, the project owner will inform the CPM and propose a plan to mitigate impacts on fire services.	60 days prior to ground disturbing activity	11/12/2
WASTE-3	Prepare and submit to the CPM, for review and comment, a waste management plan for all wastes generated during construction and operation of the facility, respectively. Plans shall contain, at a minimum, the following: <input type="checkbox"/> A description of all waste streams, including projections of frequency, amounts generated and hazard classifications; and <input type="checkbox"/> Methods of managing each waste, including treatment methods and companies contracted with for treatment services, waste testing methods to assure correct classification, methods of transportation, disposal requirements and sites, and recycling and waste minimization/reduction plans.	No less than 60 days prior to the start of construction, the project owner shall submit the construction waste management plan to the CPM for review.	60 days prior to start of construction	12/19/2
WASTE-4	The project owner shall have a Registered Professional Engineer or Geologist, with experience in remedial investigation and feasibility studies, available for consultation during soil excavation and grading activities. The Registered Professional Engineer or Geologist shall be given full authority to oversee any earth moving activities that have the potential to disturb contaminated soil.	At least 30 days prior to the start of construction, the project owner shall submit the qualifications and experience of the Registered Professional Engineer or Geologist to the CPM for approval.	30 days prior to ground disturbing activity	11/12/2
WASTE-6	The project owner shall obtain a Hazardous Material Clearance Form from the Santa Clara County Hazardous Materials Compliance Division.	Prior to the start of construction, the project owner shall provide an approved copy of the Santa Clara County Hazardous Materials Compliance Division's Hazardous Material Clearance Form to the CPM.	Prior to start of Construction	12/19/2
WASTE-7	The project owner shall perform additional limited investigations to fully characterize the site, including sampling soil in the area of the former asbestos containing material (ACM) piles to confirm that ACM is no longer present, sampling of the contents of the unlabeled drums and above ground storage tanks, and sampling of areas previously identified as inaccessible in the Phase II ESA.	Prior to the start of construction, the project owner shall submit analytical results of the additional sampling to the CPM as a ESA Addendum.	Prior to start of construction	12/19/2
WASTE-8	All site debris, including stockpiles, drums, automotive debris, storage sheds, and living quarters, shall be removed from the site as soon as possible after the project owner has control of the site.	The project owner shall notify the CPM in writing within ten days of removal of site debris.	10 days after removal of site debris	10/8/2

1/14/2002

METCAL ENERGY CENTER
CEC CONDITIONS OF CERTIFICATION SCHEDULE MATRIX

Condition No.	Requirements & Task Summary	Action required	Event	Require Submit date
LAND-2	The project owner shall landscape the parking area consistent with the "Orchard Planting" Guidelines of the North Coyote Valley Campus Industrial Area Master Development Plan.	At least thirty (30) days prior to the start of construction of the power plant, the project owner shall submit to the City of San Jose for review and comment and to the CPM for approval a revised landscape plan demonstrating that the landscaping within the parking area is consistent with the North Coyote Valley Campus Industrial Area Master Development Plan guidelines.	30 days prior to start of Construction	12/19/2
LAND-3	<p>The project owner shall design and construct the project to satisfy the setback requirements Setbacks are 100 feet for all buildings and structures and 50 feet for all uncovered off-street parking areas. Southern property line - 70 foot setback for all buildings and structures and 15 feet for uncovered off-street parking areas; no project facilities or structures within 32 feet from the site boundary along the Union Pacific ROW. See Land-3 for set back distances in this area by facility unless agreed to by CPM in consultation with City of San Jose.</p> <p>Submit to the CPM final design plans demonstrating that the specified setbacks will be provided. The project owner shall not start construction of the project until the project owner receives written approval of the final design plans from the CPM. When the project owner has surveyed the property to mark the boundaries of the specified facilities and structures, the project owner shall notify the CPM that the boundaries are available for inspection. The project owner shall not start construction of the specified facilities and structures until the CPM has approved the boundaries.</p>	At least sixty (60) days prior to the start of construction, the project owner shall submit the final design plans to the CPM for approval. When the boundaries of the specified facilities and structures have been marked, the project owner shall notify the CPM that the boundaries are ready for inspection.	60 days prior to start of construction	12/19/2
LAND-3	<p>The project owner shall design and construct the project to satisfy the setback requirements Setbacks are 100 feet for all buildings and structures and 50 feet for all uncovered off-street parking areas. Southern property line - 70 foot setback for all buildings and structures and 15 feet for uncovered off-street parking areas; no project facilities or structures within 32 feet from the site boundary along the Union Pacific ROW. See Land-3 for set back distances in this area by facility unless agreed to by CPM in consultation with City of San Jose.</p> <p>Submit to the CPM final design plans demonstrating that the specified setbacks will be provided. The project owner shall not start construction of the project until the project owner receives written approval of the final design plans from the CPM. When the project owner has surveyed the property to mark the boundaries of the specified facilities and structures, the project owner shall notify the CPM that the boundaries are available for inspection. The project owner shall not start construction of the specified facilities and structures until the CPM has approved the boundaries.</p>	At least sixty (60) days prior to the start of construction, the project owner shall submit the final design plans to the San Jose review and comment.	Start of Construction	12/19/2

1/14/2002

METCAL ENERGY CENTER
CEC CONDITIONS OF CERTIFICATION SCHEDULE MATRIX

Condition No.	Requirements & Task Summary	Action required	Event	Require Submit date.
LAND-5	Acquire from the property owners (Passantino) immediately south of the MEC site a restrictive covenant agreement running with title that establishes a strip of land one hundred thirty (130) feet in width as a building setback (the "Setback Area"), beginning at the southern MEC property line. Such covenant shall ensure that no buildings or other permanent structures shall be constructed, installed or maintained within the Setback Area in violation of the applicable ordinances, plans, and regulations of the City of San Jose. Such covenant shall not prohibit the construction, installation, or maintenance of roads, driveways, parking areas, landscaping, fencing, lighting and utility facilities, signs, temporary trailers, farm-related fixtures, or other improvements as may be permitted by the applicable ordinances, plans, and regulations of the City of San Jose. Further, the project owner shall acquire an easement (the Open Space Easement) on a strip of land approximately thirty (30) feet in width along the northern boundary of the Lands of Passantino. The Open Space Easement area shall remain in agricultural production.	At least ninety (90) days prior to the start of construction of the power plant, the project owner shall submit to the CPM a recorded copy of the Restrictive Covenant and Easement Agreement that establishes the Setback Area and Open Space Easement.	90 days prior to start of construction	12/19/12
LAND-6	Ensure the protection of soil while using agricultural land as a construction laydown and parking area. When the agricultural land is no longer needed as a construction laydown and parking area, but no later than the start of commercial operation of the power plant, restore the soil to its natural state for agriculture. In parking and heavy traffic areas and those areas used for temporary facilities, protective measures shall include but not necessarily be limited to: covering the existing soil with a woven geotextile separator layer to protect underlying top soil, adding an additional layer of structural geogrid over the separator fabric in heavy traffic areas; and covering the geotextile layer with 8 to 12 inches of granular fill. After use, remove the granular fill and geotextile/ geogrid and till the soil to thoroughly aerate and remove all soil compaction. In those areas where heavy traffic protection is not required and soil conditions permit, laydown materials shall be placed on appropriate wood dunnage. After use, remove the wood dunnage and materials and till the soil to thoroughly aerate and remove all soil compaction.	At least thirty (30) days prior to the delivery of construction materials to the power plant laydown area, the project owner shall notify the CPM that the protective measures stated above will be applied prior to the delivery of any construction materials.	30 days prior to first delivery of construction materials	11/12/12
LAND-7	The project owner shall ensure that any additional construction laydown areas needed along all pipeline routes are located within existing paved or gravel areas.	At least sixty (60) days prior to construction of the pipelines, the project owner shall submit to the CPM a detailed map showing the location of any planned laydown areas along the pipeline routes and photographs of the areas.	60 days prior to construction of pipelines	12/1/12
LAND-9	Route the water supply and wastewater discharge pipelines through open agricultural areas to avoid the direct loss of orchard trees.	At least sixty (60) days prior to construction of the water supply and wastewater discharge pipelines the project owner shall submit to the CPM for review and approval a site plan that shows the precise alignment of the pipelines in relation to existing orchard trees. The site plan shall clearly delineate the width of the pipeline construction corridor.	60 days prior to start of construction of water supply and waste water pipelines	12/1/12
LAND-9	Route the water supply and wastewater discharge pipelines through open agricultural areas to avoid the direct loss of orchard trees.	At least seven (7) days prior to ground disturbing activities related to pipeline construction, the project owner shall notify the CPM that stakes have been installed to delineate the boundaries of the pipeline corridor and the route is ready for inspection.	7 days prior to start of ground disturbing activities related to pipeline construction	12/1/12

1/14/2002

**METCAL ENERGY CENTER
CEC CONDITIONS OF CERTIFICATION SCHEDULE MATRIX**

Condition No.	Requirements & Task Summary	Action required	Event	Require Submit date
LAND-10	During pipeline construction, stockpile excavated topsoil separate from subsoil in agricultural areas. Backfill the trenches in a manner that minimizes the alteration of the original soil order.	At least thirty (30) days prior to ground disturbance related to pipeline construction, the project owner shall submit a description of the procedure to minimize alteration of original soil stratigraphy.	30 days prior to start of ground disturbing activities related to pipeline construction	12/1/2
LAND-10	During pipeline construction, stockpile excavated topsoil separate from subsoil in agricultural areas. Backfill the trenches in a manner that minimizes the alteration of the original soil order.	At least seven (7) days prior to trenching, the project owner shall notify the CPM of the schedule for trenching	7 days prior to trenching for pipeline	12/1/2
LAND-10	During pipeline construction, stockpile excavated topsoil separate from subsoil in agricultural areas. Backfill the trenches in a manner that minimizes the alteration of the original soil order.	Within seven (7) days after the start of trenching, the project owner shall submit photographs to the CPM that demonstrates that the topsoil has been kept separate from the subsoil.	7 days after trenching for pipeline	12/1/2
LAND-11	The project owner shall design and construct the project to meet the following height requirements, unless otherwise agreed to by the CPM in consultation with the City of San Jose: The heat recovery steam generator stacks shall be limited to 145 feet above finished grade.	At least sixty (60) days prior to the start of construction, the project owner shall submit the final design specifications to the CPM for review and approval.	60 days prior to start of construction	12/19/2
TRANS-4	The project owner shall enter into a Crossing Agreement with UPRR which provides for the design and installation of railroad grade crossing warning equipment (gates and signals) at the railroad crossing for Blanchard Road in accordance with UPRR and PUC design standards. If the warning equipment is not installed prior to the start of site preparation or earth moving activities, then the project owner shall implement temporary safety measures as specified by UPRR in the Crossing Agreement, including the stationing of flag persons at the crossing. These temporary measures shall stay in place until the permanent equipment is installed. Refer to TRANS 4 for additional details.	If the permanent crossing warning equipment is not expected to be in place prior to initiation of site preparation or earth moving activities, then the project owner shall submit a traffic plan for the railroad crossing to UPRR for review and approval at least 60 days in advance of any site preparation or earth moving activities.	60 days prior to site preparation	11/12/2
TRANS-4	The project owner shall install railroad grade crossing warning equipment (gates and signals) at the railroad crossing for Blanchard Road in accordance with UPRR and local/federal agency design standards. If the warning equipment is not installed prior to the start of site preparation or earth moving activities, then the project owner shall install temporary measures, including the stationing of flag persons, to the satisfaction of the PUC and UPRR. These temporary measures shall stay in place until the permanent equipment is installed. Refer to TRANS 4 for additional details.	The project owner shall submit the executed Crossing Agreement for the grade crossing warning equipment (gates and signals) and plans for temporary measures to the CPM for approval.	60 days prior to site preparation	11/12/2
TRANS-5	Prior to site preparation, the project owner shall consult with Santa Clara Co., San Jose, and Caltrans & prepare a Const. Traffic Control Plan (CTCP) and implementation program which address the following for linears: 1. Timing of p-line const. (traffic control measures including, but not limited to, having construction of portions of the p-line take place at night or on w-ends to avoid traffic flow disruptions), 2. Signing, lighting, & traffic control device placement, 3. Temporary travel lane closures (outside of peak hours of 6-9 am and 4-7 pm, unless approved by the agencies), 4. Maintaining access to adjacent residential and commercial properties, 5. Emergency access. Prepare a CTCP and implementation program which address the following issues for power plant const, 6. Establishing const. work hours outside of peak traffic periods, 7. Timing of heavy vehicle equipment and building materials deliveries and, 8. Off-street employee parking in const. areas during peak const.	At least 30 days prior to start of site preparation or earth moving activities, the project owner shall provide to Santa Clara County, City of San Jose and Caltrans for review and comment, and to the CPM for review and approval, a copy of their construction traffic control plan and implementation program.	30 days prior to start of construction	12/19/2

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Condition No.	Requirements & Task Summary	Action required	Event	Require Submitt date
TRANS-6	Following completion of construction of the power plant and all related facilities, the project owner shall repair roadways to original or as near original condition as possible. Refer to TRANS 6 for further details	Prior to start of site preparation or earth moving activities, the project owner shall photograph, videotape, or digitally record images of Monterey Road between Melcaif Road and Blanchard Road. The project owner shall provide the CPM, Santa Clara County and Caltrans with a copy of these images.	Start of Construction	12/19/2
TRANS-6	Following completion of construction of the power plant and all related facilities, the project owner shall repair roadways to original or as near original condition as possible. Refer to TRANS 6 for further details	Prior to start of site preparation or earth moving activities, the project owner shall photograph, videotape, or digitally record images of sections of public roadways that will be affected by water and wastewater pipeline construction. The project owner shall provide the CPM, Santa Clara County and Caltrans with a copy of these images.	Start of ground disturbing activities related to pipeline construction	12/1/2
TRANS-6	Following completion of construction of the power plant and all related facilities, the project owner shall repair roadways to original or as near original condition as possible. Refer to TRANS 6 for further details	At least 60 days prior to start of site preparation or earth moving activities, the project owner shall notify Caltrans about the schedule for project construction.	60 days prior to site preparation	11/12/2
TRANS-7	Prior to start of site preparation or earth moving, the project owner shall prepare and submit a parking and staging plan for all phases of project construction to the City of San Jose and Santa Clara County for review and comment and to the CPM for approval. During construction of the power plant and all related facilities, the project owner shall manage the on-site construction-period parking.	At least 60 days prior to start of site preparation or earth moving, the project owner shall submit the parking and staging plan to the City of San Jose and Santa Clara County for review and comment, and to the CPM for approval.	60 days prior to start of construction	12/19/2
NOISE-1	At least 15 days prior to the start of rough grading, and 15 days before steam blows, the project owner shall notify all residents and business entities within one mile of the site, by mail or other effective means, of the commencement of project construction. At the same time, the project owner shall establish a telephone number for use by the public to report any undesirable noise conditions associated with the construction and operation of the project. If the telephone is not staffed 24 hours per day, the project owner shall include an automatic answering feature, with date and time stamp recording, to answer calls when the phone is unattended. This telephone number shall be posted at the project site during construction in a manner visible to passersby. This telephone number shall be maintained until the project has been operational for at least one year.	Notify residents and establish/post telephone number as described in Requirements & Task Summary	15 days prior to start of rough grading	11/12/2
NOISE-1	At least 15 days prior to the start of rough grading, and 15 days before steam blows, the project owner shall notify all residents and business entities within one mile of the site, by mail or other effective means, of the commencement of project construction. At the same time, the project owner shall establish a telephone number for use by the public to report any undesirable noise conditions associated with the construction and operation of the project. If the telephone is not staffed 24 hours per day, the project owner shall include an automatic answering feature, with date and time stamp recording, to answer calls when the phone is unattended. This telephone number shall be posted at the project site during construction in a manner visible to passersby. This telephone number shall be maintained until the project has been operational for at least one year.	The project owner shall transmit to the Compliance Project Manager (CPM) in the first monthly construction report following the start of rough grading, a statement signed by the project manager attesting that the above notification has been performed, describing the method of that notification, and including a sample letter, poster or other notice, as appropriate. This statement shall also attest that the telephone number has been established and posted at the power plant site.	Monthly Construction Report Following the Start of Rough Grading	11/12/2
NOISE-3	Prior to the start of project construction, the project owner shall submit to the CPM for review a Noise Control Program. The noise control program shall be used to educe employee exposure to high noise levels during construction and also to comply with applicable OSHA standards.	At least 30 days prior to the start of rough grading, the project owner shall submit to the CPM the above referenced program. The project owner shall make the program available to OSHA upon request.	30 days prior to start of rough grading	11/12/2

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Condition No.	Requirements & Task Summary	Action required	Event	Require Submit date
VIS-5	<p>Before use of the construction laydown area for the power plant, implement the installation of temporary aesthetic screening along the south and east sides and any of the eastern portion of the north side of the construction laydown area that may be visible to travelers on Monterey Road or passenger trains. Install long-term aesthetic screening along the west side of Monterey Road. The temporary aesthetic screening shall remain in place for the duration of the use of the laydown area. Temporary screening shall be high enough to obscure views of most of the lighting, as well as equipment, vehicles, and materials in the area, from the highway, and nearby residences to the south. Immediately upon completion of construction of the project, the temporary aesthetic screening shall be removed and the construction laydown area shall be revegetated and restored to its original condition prior to construction or to an improved condition. (See Condition VIS-5 for requirements)</p>	<p>At least ninety (90) days prior to the start of use of the construction laydown area for the power plant, the project owner shall submit the proposed temporary and long-term aesthetic screening plans to the City of San Jose for review and comment.</p>	<p>90 days prior to start of use of the construction laydown area</p>	<p>11/12/02</p>
VIS-5	<p>Before use of the construction laydown area for the power plant, implement the installation of temporary aesthetic screening along the south and east sides and any of the eastern portion of the north side of the construction laydown area that may be visible to travelers on Monterey Road or passenger trains. Install long-term aesthetic screening along the west side of Monterey Road. The temporary aesthetic screening shall remain in place for the duration of the use of the laydown area. Temporary screening shall be high enough to obscure views of most of the lighting, as well as equipment, vehicles, and materials in the area, from the highway, and nearby residences to the south. Immediately upon completion of construction of the project, the temporary aesthetic screening shall be removed and the construction laydown area shall be revegetated and restored to its original condition prior to construction or to an improved condition. (See Condition VIS-5 for requirements)</p>	<p>At least ninety (90) days prior to the start of use of the construction laydown area for the power plant, the project owner shall submit the proposed temporary and long-term aesthetic screening plans to the CPM for review and approval.</p>	<p>90 days prior to start of use of the construction laydown area</p>	<p>11/12/02</p>
VIS-7	<p>Immediately following the beginning of construction of the power plant, the project owner shall install aesthetic landscape screening along a portion of Coyote Ranch Road between the power plant and Coyote Ranch in locations that would eventually help screen views from the ranch toward the power plant. Vegetation selected for landscape screening shall consist primarily of plants that are appropriate for and preferably native to the local region and trees that would grow quickly and reach a height of at least 40 ft. (See VIS-7 for reqmts)</p>	<p>At least ninety (90) days prior to the start of construction of the power plant, the project owner shall submit the proposed aesthetic landscape screening plan to the City of San Jose and County of Santa Clara Parks and Recreation Department for review and comment.</p>	<p>90 days prior to start of construction</p>	<p>12/19/02</p>
VIS-7	<p>Immediately following the beginning of construction of the power plant, the project owner shall install aesthetic landscape screening along a portion of Coyote Ranch Road between the power plant and Coyote Ranch in locations that would eventually help screen views from the ranch toward the power plant. Vegetation selected for landscape screening shall consist primarily of plants that are appropriate for and preferably native to the local region and trees that would grow quickly and reach a height of at least 40 ft. (See VIS-7 for reqmts)</p>	<p>At least ninety (90) days prior to the start of construction of the power plant, the project owner shall submit the proposed aesthetic landscape screening plan to the CPM for review and approval.</p>	<p>90 days prior to start of construction</p>	<p>12/19/02</p>

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Condition No.	Requirements & Task Summary	Action required	Event	Require Submit date
VIS-9	The power plant shall be designed in a manner that reduces its appearance as an industrial facility and helps visually integrate it with its surroundings. To accomplish these objectives, some elements of the power plant's appearance may need to be changed. Changing appearance elements may be necessary to help better fit the structures and the power plant with the rural visual character of their existing surroundings and the architectural character of probable future buildings in the Campus Industrial Area development, or to achieve another acceptable visual scheme. (See Cond. VIS-9 for other requirements)	At least sixty (60) days prior to the start of architectural treatment for the power plant, the project owner shall submit the proposed architectural design treatment plan to the City of San Jose for review and comment.	60 days prior to start of construction	12/19/2
VIS-9	The power plant shall be designed in a manner that reduces its appearance as an industrial facility and helps visually integrate it with its surroundings. To accomplish these objectives, some elements of the power plant's appearance may need to be changed. Changing appearance elements may be necessary to help better fit the structures and the power plant with the rural visual character of their existing surroundings and the architectural character of probable future buildings in the Campus Industrial Area development, or to achieve another acceptable visual scheme. (See Cond. VIS-9 for other requirements)	At least sixty (60) days prior to the start of architectural treatment for the power plant, the project owner shall submit the proposed architectural design treatment plan to the CPM for review and approval. The CPM shall then conduct a public meeting to view the proposed architectural treatment and may, if warranted, establish an advisory committee to provide comment on achieving an acceptable architectural treatment. The review of the Applicant's architectural treatment shall be complete no later than 60 days after it is submitted.	60 days prior to start of construction	12/19/2
VIS-10	The power plant shall be operated in a manner that reduces its appearance as an industrial facility and helps visually integrate it with its surroundings. To accomplish these objectives, the power plant shall be designed and operated to minimize visible plumes. The power plant shall be designed and operated to meet the following plume abatement standards: No plume from the HRSG stack during daylight, non-fog, non-rain hours; cooling tower plume shall not be visible for more than a total of 14 hours in any calendar year during daylight, non-fog, non-rain hours (exception plumes created during unplanned outages of plume abatement systems). See Vis- 10 for additional detail (including installation of monitoring cameras).	At least sixty (60) days prior to the start of construction of the power plant, the project owner shall submit the proposed plume abatement plan to the City of San Jose for review and comment.	60 days prior to start of construction	12/19/2
VIS-10	The power plant shall be operated in a manner that reduces its appearance as an industrial facility and helps visually integrate it with its surroundings. To accomplish these objectives, the power plant shall be designed and operated to minimize visible plumes. The power plant shall be designed and operated to meet the following plume abatement standards: No plume from the HRSG stack during daylight, non-fog, non-rain hours; cooling tower plume shall not be visible for more than a total of 14 hours in any calendar year during daylight, non-fog, non-rain hours (exception plumes created during unplanned outages of plume abatement systems). See Vis- 10 for additional detail (including installation of monitoring cameras).	At least sixty (60) days prior to the start of construction of the power plant, the project owner shall submit the proposed plume abatement plan to the CPM for review and approval.	60 days prior to start of construction	12/19/2
VIS-12	Prior to commencing construction, the project owner shall contact the owners of property along Blanchard Road and develop, in consultation with the property owners, a plan to screen views of the project from each property if so desired by a property owner. The project owner shall bear the cost of any landscaping/screening developed under this condition.	At least fifteen (15) days prior to commencing project construction, the project owner shall provide to the CPM a report on the landscaping/screening plan, including a list of the property owners contacted. The report shall specify the measures which will be implemented and a schedule for their implementation. The project owner shall notify the CPM when any measures developed with a property owner have been implemented and are ready for inspection.	15 days prior to start of construction	12/19/2
VIS-12	Prior to commencing construction, the project owner shall contact the owners of property along Blanchard Road and develop, in consultation with the property owners, a plan to screen views of the project from each property if so desired by a property owner. The project owner shall bear the cost of any landscaping/screening developed under this condition.	The project owner shall notify the CPM when any measures developed with a property owner have been implemented and are ready for inspection.	Required per VIS-12	11/16/2

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Condition No.	Requirements & Task Summary	Action required	Event	Require Submit/ date.
CUL-1	Prior to the start of any construction-related vegetation clearance or earth disturbing activities, or project site preparation, the project owner shall provide the California Energy Commission (Commission) Compliance Project Manager (CPM) with the name and statement of qualifications of its designated cultural resource specialist who will be responsible for implementation of all cultural resources Conditions of Certification. The required qualifications and duties of the specialist and the team are given in CUL-1, pg.433	At least 90 days prior to the start of project earth disturbing activities, the project owner shall submit the name and statement of qualifications of its designated cultural resource specialist to the CPM for review and written approval.	90 days prior to start of construction related vegetation clearance or ground disturbing activities or prior to site preparation	11/12/2
CUL-1	Prior to the start of any construction-related vegetation clearance or earth disturbing activities, or project site preparation, the project owner shall provide the California Energy Commission (Commission) Compliance Project Manager (CPM) with the name and statement of qualifications of its designated cultural resource specialist who will be responsible for implementation of all cultural resources Conditions of Certification. The required qualifications and duties of the specialist and the team are given in CUL-1, pg.433	At least 10 days but no more than 30 days prior to the start of earth disturbing activities, the project owner shall confirm in writing to the CPM that the approved designated cultural resource specialist will be available at the start of construction and is prepared to implement the cultural resource Conditions of Certification.	10-30 days prior to start of construction related vegetation clearance or ground disturbing activities or prior to site preparation	11/12/2
CUL-2	Prior to the start of earth disturbing activities, the project owner shall provide the designated cultural resource specialist and the CPM with maps and drawings showing the footprint of the power plant and all linear facilities. Maps provided will include the USGS 7.5 minute topographic quadrangle map and a map at an appropriate scale (i.e., 1:2000 or 1" = 200') for plotting individual artifacts. If the designated cultural resource specialist requests enlargements or strip maps for linear facility routes, the project owner shall provide them. In addition, the project owner shall provide a set of these maps and drawings reflecting these changes to the cultural resource specialist and the CPM within five (5) days. Maps shall show the location of all areas where surface disturbance may be associated with project related access roads, and any other project components.	At least seventy-five (75) days prior to the start of earth disturbing activities on the project, the project owner shall provide the designated cultural resource specialist and the CPM with the maps and drawings. Copies of maps or drawings reflecting changes to the footprint of the power plant and/or linear facilities shall be submitted to the cultural resource specialist and the CPM.	75 days prior to start of site preparation	11/12/2
CUL-3	Prior to the start of project construction, the designated cultural resources specialist shall prepare, and the project owner shall submit to the CPM for review and written approval, a Cultural Resources Monitoring and Mitigation Plan, identifying general and specific measures to minimize potential impacts to sensitive cultural resources. See Pg. 434 for specific plan requirements	At least sixty (60) days prior to the start of project construction related vegetation clearance or earth disturbing activities or project site preparation, the project owner shall provide the Cultural Resources Monitoring and Mitigation Plan, prepared by the designated cultural resource specialist, to the CPM for review and written approval.	60 days prior to start of site preparation	11/12/2
CUL-4	Prior to the start of construction, the cultural specialist shall prepare an Employee Training Program on potential cultural issues and submit to the CPM for review and written approval. Requirements of the training program are given in CUL-4, pg.436	At least 60 days prior to the start of construction on the project, the project owner shall submit to the CPM for review and written approval, the proposed employee training program, the set of reporting procedures, and the work curtailment procedures that the workers are to follow if previously unknown cultural resources are encountered during construction. The project owner shall provide the name and resume of the individual(s) performing the training.	60 days prior to start of site preparation	11/12/2

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Condition No.	Requirements & Task Summary	Action required	Event	Require Submit date
CUL-5	<p>Prior to the start of project construction-related vegetation clearance or earth disturbing activities or project site preparation and throughout the project construction period as needed for all new employees, the project owner shall ensure that the designated cultural resource trainer(s) provide(s) the CPM-approved cultural resources training to all project managers, all construction supervisors, and those workers who operate ground disturbing equipment. The project owner shall ensure that the designated trainer provides the workers with the CPM-approved set of procedures for reporting any sensitive resources that may be discovered during project-related ground disturbance and the work curtailment procedures that the workers are to follow if previously unknown cultural resources are encountered during construction. The original cultural resources training session may be videotaped and shown to employees hired after the project is underway.</p>	<p>Within 7 days after the start of construction the project owner shall provide the CPM with documentation that the designated cultural resources trainer(s) has/have provided to all project managers, construction supervisors, and workers hired before the start of construction the CEC-approved cultural resources training and the set of reporting and work curtailment procedures.</p>	<p>7 days after start of construction related vegetation clearance or ground disturbing activities or prior to site preparation</p>	<p>11/12/21</p>
CUL-6	<p>The designated cultural resource specialist or the specialist's delegated monitor(s) shall have the authority to halt or redirect construction if previously unknown cultural resource sites or materials are encountered during project construction related vegetation clearance or earth disturbing activities or project site preparation. Discovery actions are outlined on pg. 436.</p>	<p>Thirty (30) days prior to the start of project construction-related vegetation clearance or earth disturbing activities and preparation; the project owner shall provide the CPM with a letter confirming that the designated cultural resources specialist and delegated monitor(s) have the authority to halt construction activities in the vicinity of a cultural resource find.</p>	<p>30 days prior to start of construction related vegetation clearance or ground disturbing activities or prior to site preparation</p>	<p>11/12/21</p>
CUL-7	<p>Prior to the start of project construction related vegetation clearance or earth disturbing activities or project site preparation; and each week throughout project construction, the project owner shall provide the designated cultural resource specialist with a current schedule of anticipated project activity in the following month and a map indicating the area(s) where the construction activities will occur. The designated cultural resource specialist shall consult daily with the project superintendent or construction field manager to confirm the area(s) to be worked on the next day(s).</p>	<p>10 days prior to the start of project construction-related vegetation clearance or earth disturbing activities or project site preparation; and in each Monthly Compliance Report thereafter, the project owner shall provide the CPM with a copy of each weekly schedule of the construction activities. The project owner shall notify the CPM when all ground disturbing activities, including landscaping, are completed.</p>	<p>Start of Construction related vegetation clearance or ground disturbing activities or prior to site preparation</p>	<p>11/12/21</p>
CUL-16	<p>Prior to the start of any construction-related vegetation clearance or earth disturbing activities, project site preparation or presence absence testing required in these conditions, the project owner and the designated cultural resources specialist shall consult with Ohlone/Costanoan Native American tribal representatives to develop an agreement(s) for qualified (as specified in the NAHC Guidelines for Monitoring) monitor(s). The monitor(s) shall be considered a member(s) of the cultural resource team and shall be present during the pre-construction and construction phases of the project whenever cultural resources monitoring activities are conducted.</p>	<p>At least thirty (30) days prior to the start of project-related vegetation clearance or earth disturbing activities or project site preparation, the project owner shall provide the CPM with a copy of all finalized agreements for Native American (Ohlone/Costanoan) monitor(s). If efforts to obtain the services of qualified Native American monitor(s) prove unsuccessful, the project owner shall immediately inform the CPM who will initiate a resolution process.</p>	<p>30 days prior to start of construction related vegetation clearance or ground disturbing activities or prior to site preparation</p>	<p>11/12/21</p>

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Condition No.	Requirements & Task Summary	Action required	Event	Require Submit date
CUL-18	Prior to initial project site mobilization (i.e., placing a trailer on the site with accompanying equipment, utilities and grading) the project owner must comply with Cul-1 and Cul-4 and complete Cul-5 as it pertains to management, supervisors and workers involved in this undertaking. The project owner shall comply with Cul-2 and Cul-3 for the entire project, but this need not be accomplished before the trailer is placed. If cultural resources are discovered, all cultural conditions shall apply. Prior to the initial site mobilization, the designated cultural resource specialist shall examine the area of initial project site mobilization and ensure that there are no cultural resources that may require protection or mitigation.	At least (7) days prior to engaging in the initial project site mobilization defined in this condition, the project owner shall provide the CPM with information authored by the designated cultural resource specialist identifying the area of initial site mobilization. The cultural resource specialist shall indicate the method(s), procedure(s) and date(s) the cultural resource inspection was performed and an explanation of the anticipated project activities. The document will be reviewed and approved by the CPM.	7 days prior to site mobilization	11/12/2
SOCIO-1	The project owner and its contractors and subcontractors shall recruit employees and procure materials and supplies within the City of San Jose and Santa Clara County first unless: to do so will violate federal and/or state statutes the materials and/or supplies are not available; or qualified employees for specific jobs or positions are not available; or there is a reasonable basis to hire someone for a specific position from outside the local area.	At least sixty (60) days prior to the start of earth moving activities, the project owner shall submit to the Energy Commission Compliance Project Manager (CPM) copies of contractor, subcontractor, and vendor solicitations and guidelines stating hiring and procurement requirements and procedures.	60 days prior to start of site preparation	11/12/2
BIO-1	Construction site and/or ancillary facilities preparation (described as any ground disturbing activity other than Energy Commission approved geotechnical work) shall not begin until an Energy Commission Compliance Project Manager (CPM) approved Designated Biologist is available to be on site. See Cond. BIO-1	At least 60 days prior to the start of any ground disturbance activities, the project owner shall submit to the CPM for approval, the name, qualifications, address and telephone number of the individual selected by the project owner as the Designated Biologist. If a Designated Biologist is replaced, the information on the proposed replacement, as specified in the condition, must be submitted in writing at least ten working days prior to the termination or release of the preceding Designated Biologist.	60 days prior to start of ground disturbance	11/12/2
BIO-4	The project owner shall submit to the CPM for review and approval a copy of the final Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP) and, once approved, shall implement the measures identified in the plan. See Condition BIO-4 to requirements.	At least 45 days prior to start of any project-related ground disturbance activities, the project owner shall provide the CPM with the final version of the BRMIMP for this project, and the CPM will determine the plans acceptability. The project owner shall notify the CPM five (5) working days before implementing any CPM approved modifications to the BRMIMP.	45 days prior to start of ground disturbance	11/12/2
BIO-5	RIPARIAN RESTORATION - Prior to the start of any ground disturbance activities, the project owner shall develop the riparian corridor planting plan for inclusion into the Biological Resources Mitigation Implementation and Monitoring Plan. The protocol shall include a thorough discussion of methods, species, and location for plantings, erosion control, criteria for success, a monitoring program, and a reporting requirement. The plan should include an inclusive list of herbicides and application procedures that will be used within the 10-ft area surrounding the fence line. If the CPM determines that the plan requires modification, the project owner shall modify the report based on the CPM's comments.	At least 45 days prior to the start of any ground disturbance activities, the project owner shall provide to the CPM for review and approval the above riparian restoration plan.	45 days prior to start of ground disturbance	11/12/2
BIO-6	Develop and implement a CPM approved Worker Environmental Awareness Program in which each of its employees, as well as employees of contractors and subcontractors who work on the project site or related facilities during construction and operation, are informed about sensitive biological resources associated with the project. See Condition BIO-6, Pg. 500 for requirements.	At least 60 days prior to the start of rough grading, the project owner shall provide copies of the Worker Environmental Awareness Program and all supporting written materials prepared by the Designated Biologist and the name and qualifications of the person(s) administering the program to the CPM for approval.	60 days prior to start of rough grading	11/12/2
BIO-7	CALIFORNIA DEPARTMENT OF FISH & GAME PERMITS - Prior to start of any streambed disturbance activities, the project owner shall acquire a Streambed Alteration Agreement from CDFG in accordance with Section 1803 of the California Fish and Game Code and implement the permit terms and conditions.	No less than 30 days prior to the start of any streambed alteration disturbances, including horizontal directional drilling, the project owner shall submit to the CPM a copy of the final CDFG Streambed Alteration Agreement. Agreement terms and conditions will be incorporated into the Biological Resources Mitigation Implementation and Monitoring Plan.	30 days prior to start of ground disturbance	11/12/2

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Condition No.	Requirements & Task Summary	Action required	Event	Requires Submit: date
BIO-8	U. S. FISH & WILDLIFE SERVICE SECTION 7 BIOLOGICAL OPINION - Prior to the start of any ground disturbance activities, the project owner shall provide a final copy of the U.S. Fish and Wildlife Service Biological Opinion in accordance with Section 7 of the federal Endangered Species Act and incorporate the terms of the biological opinion into the Biological Resources Mitigation Implementation and Monitoring Plan. The project owner will implement the terms and conditions contained in the Biological Opinion.	At least 45 days prior to the start of any project related ground disturbance activities, the project owner shall submit to the CPM a copy of the USFWS Biological Opinion. Permit terms and conditions will be incorporated into the Biological Resources Mitigation Implementation and Monitoring Plan.	45 days prior to start of ground disturbance	11/12/2
BIO-9	U.S ARMY CORPS OF ENGINEERS PERMIT - Prior to the start of any streambed alteration, including horizontal drilling activities, the project owner shall provide a final copy of the Nationwide No.7 permit in accordance with Section 404 of the Clean Water Act. The project owner will implement the terms and conditions contained in the permit.	At least 30 days prior to the start of any streambed alteration, including horizontal drilling activities, the project owner shall submit to the CPM a copy of the Nationwide No. 7 permit. Permit terms and conditions will be incorporated into the Biological Resources Mitigation Implementation and Monitoring Plan.	30 days prior to start of streambed alteration activities	11/12/2
BIO-10	HABITAT COMPENSATION - To compensate for impacts to serpentine soils and associated endemic species, the project owner shall provide 116 acres of land on Tulare Hill and 15 acres of land on Coyote Ridge, the name of the entity that will be managing the land in perpetuity, and the endowment funds in the amount determined suitable from the Center for Natural Lands PAR analysis to administer and manage in perpetuity. Each of these must have been pre-approved by CEC staff and USFWS.	Within one week of commencing ground disturbance activities, the project owner must provide to the CPM for approval, the name of the management entity, written verification that the compensation lands have been purchased and written verification that the appropriate endowment fund (determined by the PAR analysis) has been received by the approved management entity.	7 days after start of ground disturbance	11/12/2
BIO-11	The applicant, in consultation with the USFWS and Energy Commission staff, will develop a suitable final habitat management and monitoring plan for lands purchased on Tulare Hill (116 acres) and Coyote Ridge (15 acres).	At least 60 days prior to the start of any project-related ground disturbance activities, the project owner shall provide the CPM with the final approved version of the management plan. Once the plan is approved, it shall be incorporated into the BRMIMP.	60 days prior to start of ground disturbance	11/12/2
BIO-13	SITE PREPARATION - Prior to initial project site mobilization (i.e., placing a trailer on site with accompanying equipment, utilities, and grading) the project owner must comply with BIO-1, BIO-2, and BIO-10 and complete BIO-6 as it pertains to management, supervisors, and workers involved in this undertaking. Prior to the initial site mobilization, the designated biologist shall examine the area and ensure no special status species are present.	At least 10 days prior to engaging in the initial project site mobilization defined in this condition, the project owner shall provide the CPM with the location of the initial mobilization site, and the date(s), method(s), and results of the pre-examination. The document will be reviewed and approved by the CPM.	10 days prior to mobilization	11/12/2
SOIL & WATER-1	Prior to beginning any clearing, grading, or excavation activities associated with any project element the project owner shall provide a firm commitment for its construction water supply. Disinfected, tertiary-treated, recycled water will be used at the Metcalf Energy Center for cooling purposes and other appropriate non-potable uses (i.e., toilet flushing and equipment washing).	The commitment for the construction water supply shall be submitted to the Energy Commission CPM at least thirty (30) days prior to the start of construction.	30 days prior to start of construction	12/19/2
SOIL & WATER-2	Prior to beginning any clearing, grading or excavation activities associated with construction of any project element, the project owner shall obtain Energy Commission staff approval for a Storm Water Pollution Prevention Plan (SWPPP) as required under the General Stormwater Construction Activity Permit from the SFBRWQCB for the project.	30 days prior to the start of any clearing, grading or excavation activities associated with the construction of any project element, the project owner will submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) to the Energy Commission Compliance Project Manager (CPM) for review and approval.	30 days prior to start of ground disturbance	11/12/2
SOIL & WATER-2	Prior to beginning any clearing, grading or excavation activities associated with construction of any project element, the project owner shall obtain Energy Commission staff approval for a Storm Water Pollution Prevention Plan (SWPPP) as required under the General Stormwater Construction Activity Permit from the SFBRWQCB for the project.	Approval of the plan by the Energy Commission CPM must be received prior to the initiation of any clearing, grading or excavation activities associated with construction of any project element.	Start of ground disturbance	11/12/2
SOIL & WATER-3	Prior to beginning any clearing, grading or excavation activities associated with construction of any project element, the project owner shall obtain staff approval for a final erosion control and revegetation plan that addresses all project elements. The final plan to be submitted for staff's approval shall contain all the elements of the draft plan with changes made to address any staff comments and the final design of the project.	The erosion control and revegetation plan shall be submitted to the Energy Commission CPM no later than thirty days prior to the scheduled construction start date. Approval of the final plan by the Energy Commission CPM must be received prior to the initiation of any clearing, grading or excavation activities associated with construction of any project element.	30 days prior to start of ground disturbance	11/12/2

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METCAL ENERGY CENTER
CEC CONDITIONS OF CERTIFICATION SCHEDULE MATRIX

Condition No.	Requirements & Task Summary	Action required	Event	Required Submit date
SOIL & WATER-4	Prior to beginning any clearing, grading or excavation activities associated with construction of any project element, the project owner shall obtain SCVWD approval for all activities within floodways or upon or within the banks of watercourses as defined in District Ordinance 83-2.	30 days prior to the start of any clearing, grading or excavation activities associated with the construction of any project element, the project owner will obtain SCVWD approval for all activities within floodways or upon or within the banks of watercourses as defined in District Ordinance 83-2.	30 days prior to start of ground disturbance	11/12/21
SOIL & WATER-4	Prior to beginning any clearing, grading or excavation activities associated with construction of any project element, the project owner shall obtain SCVWD approval for all activities within floodways or upon or within the banks of watercourses as defined in District Ordinance 83-2.	30 days prior to the start of any clearing, grading or excavation activities associated with the construction of any project element, the project owner will obtain SCVWD approval for all activities within floodways or upon or within the banks of watercourses as defined in District Ordinance 83-2 and written documentation of this approval shall be submit to the CEC CPM.	30 days prior to start of ground disturbance	11/12/21
SOIL & WATER-7	Prior to the initiation of any streambed alteration activities, including horizontal directional drilling associated with any project element, the project owner shall obtain a Section 401 Certification from the San Francisco RWQCB.	No later than 30 days prior to the start of any streambed alteration activities, including horizontal directional drilling associated with any project element, the project owner shall submit to the CEC CPM a copy of the Section 401 Certification from the San Francisco RWQCB for the MEC.	30 days prior to start of streambed alteration activities	11/12/21
SOIL & WATER-9	The project owner shall design, construct, and fully fund the portion of the SBWR reclaimed water supply pipeline dedicated to, and essential for, the operation of MEC in accordance with the Conditions of Certification and the project description. Alternatively, the project owner may enter into an agreement for the construction of that portion of the SBWR reclaimed water supply pipeline dedicated to, and essential for, the operation of MEC in accordance with the Conditions of Certification and the project description. The project owner shall establish with the Commission's Compliance Manager specific performance milestones for both the initiation of construction within one year of certification and the construction phase. Before starting construction of any structure that is part of the project, the project owner shall submit evidence demonstrating that the project owner has negotiated or is negotiating one or more agreements to provide waste discharge services and SBWR reclaimed water to the project.	No later than thirty (30) days prior to the construction of any MEC facilities or structures, the project owner shall submit evidence demonstrating that the project owner has negotiated or is negotiating one or more agreements to provide SBWR reclaimed water and waste discharge services to the project.	30 days prior to start of construction	12/19/21
GEO-1	Prior to the start of construction, the project owner shall assign to the project an engineering geologist(s), certified by the State of California, to carry out the duties required by the 1998 edition of the California Building Code (CBC), Appendix Chapter 33, Section 3309.4. The certified engineering geologist(s) assigned must be approved by the CPM (the functions of the engineering geologist can be performed by the responsible geotechnical engineer, if that person has the appropriate California license).	At least 30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of construction, the project owner shall submit to the CPM for approval the name(s) and license number(s) of the certified engineering geologist(s) assigned to the project. The submittal should include a statement that CPM approval is needed. The CPM will approve or disapprove of the engineering geologist(s).	30 days prior to start of construction	12/19/21
GEO-2	The assigned engineering geologist(s) shall carry out the duties required by the 1998 CBC, Appendix Chapter 33, Section 3309.4 Engineered Grading Requirement, and Section 3318.1 – Final Reports. Those duties are: 1. Prepare the Engineering Geology Report. This report shall accompany the Plans and Specifications when applying to the CBO for the grading permit. 2. Monitor geologic conditions during construction. 3. Prepare the Final Engineering Geology Report. See GEO-2, Pg. 579 for specific requirements	Submit Grading Permit Application	Application for Grading Permit per GEO-2	9/10/21

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CEC CONDITIONS OF CERTIFICATION SCHEDULE MATRIX

Condition No.	Requirements & Task Summary	Action required	Event	Require Submittl date
GEO-2	The assigned engineering geologist(s) shall carry out the duties required by the 1998 CBC, Appendix Chapter 33, Section 3309.4 Engineered Grading Requirement, and Section 3318.1 – Final Reports. Those duties are: 1. Prepare the Engineering Geology Report. This report shall accompany the Plans and Specifications when applying to the CBO for the grading permit. 2. Monitor geologic conditions during construction. 3. Prepare the Final Engineering Geology Report. See GEO-2, Pg. 579 for specific requirements	Within 15 days after submittal of the application(s) for grading permit(s) to the CBO, the project owner shall submit a signed statement to the CPM stating that the Engineering Geology Report has been submitted to the CBO as a supplement to the plans and specifications and that the recommendations contained in the report are incorporated into the plans and specifications.	15 days after submittal of application for Grading Permit per GEO-2	9/10/2
PAL-1	Prior to the start of any project-related construction activities (defined as any construction-related vegetation clearance, ground disturbance and preparation, and site excavation activities), the project owner shall ensure that the designated paleontological resource specialist approved by the CPM is available for field activities and prepared to implement the conditions of certification. The required qualifications and duties of the specialist are given in PAL-1, Pg. 579.	At least ninety (90) days prior to the start of construction, the project owner shall submit the name and resume and the availability for its designated paleontological resource specialist, to the CPM for review and approval. The CPM shall provide written approval or disapproval of the proposed paleontological resource specialist.	90 days prior to start of construction	11/12/2
PAL-2	Prepare Paleontologic Resources Monitoring and Mitigation Plan and submit this plan to the CPM for review and approval. After CPM approval, the project owner's designated paleontological resource specialist shall be available to implement the Monitoring and Mitigation Plan, as needed, throughout project construction. Requirements for the Monitoring/Mitigation Plan are given in PAL-2, Pg. 581.	At least sixty (60) days prior to the start of construction on the project, the project owner shall provide the CPM with a copy of the Monitoring and Mitigation Plan prepared by the designated paleontological resource specialist for review and approval. If the plan is not approved, the project owner, the designated paleontological resource specialist, and the CPM shall meet to discuss comments and negotiate necessary changes.	60 days prior to start of construction	12/19/2
PAL - 3	Employee Training Program - Prior to the start of construction, and throughout the project construction period as needed for all new employees, the project owner and the designated paleontological resource specialist shall prepare and conduct CPM-approved training to all project managers, construction supervisors, and workers who operate ground disturbing equipment. Requirements of the training program are given in PAL-5. The project owner and construction manager shall provide the workers with the CPM-approved set of procedures for reporting any sensitive paleontological resources or deposits that may be discovered during project-related ground disturbance. Refer to PAL 3 for further details.	At least (30) thirty days prior to the start of project construction, the project owner shall submit to the CPM for review, comment, and written approval, the proposed employee training program and the set of reporting procedures the workers are to follow if paleontological resources are encountered during project construction. If the employee training program and set of procedures are not approved, the project owner, the designated paleontological resource specialist, and the CPM shall meet to discuss comments and negotiate necessary changes, before the beginning of construction.	30 days prior to start of construction	12/19/2
GEN-2	The project owner shall furnish to the CPM and to the CBO a schedule of facility design submittals, a Master Drawing List, and a Master Specifications List. The schedule shall contain a list of proposed submittal packages of designs, calculations, and specifications for major structures and equipment. To facilitate audits by Energy Commission staff, the project owner shall provide specific packages to the CPM when requested.	At least 60 days prior to the start of rough grading, the project owner shall submit the schedule, a Master Drawing List, and a Master Specifications List to the CBO and to the CPM.	60 days prior to start of rough grading	11/12/2
GEN-4	Prior to the start of rough grading, the project owner shall assign a California registered architect, structural engineer or civil engineer, as a resident engineer (RE), to be in general responsible charge of the project. See responsibilities noted Condition GEN-4.	At least 30 days prior to the start of rough grading, the project owner shall submit to the CBO for review and approval, the name, qualifications and registration number of the RE and any other delegated engineers assigned to the project.	30 days prior to start of rough grading	11/12/2
GEN-5	Prior to the start of rough grading, the project owner shall assign at least one of each of the following California registered engineers to the project: A) a civil engineer; B) a geotechnical engineer or a civil engineer experienced and knowledgeable in the practice of soils engineering; C) a design engineer, who is either a structural engineer or a civil engineer fully competent and proficient in the design of powerplant structures and equipment supports; D) a mechanical engineer; and E) an electrical engineer. See Condition GEN-5 for tasks	At least 30 days prior to the start of rough grading, the project owner shall submit to the CBO for review and approval, the names, qualifications, and registration numbers of all the responsible engineers assigned to the project.	30 days prior to start of rough grading	11/12/2

METCAL ENERGY CENTER

CEC CONDITIONS OF CERTIFICATION SCHEDULE MATRIX

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Condition No.	Requirements & Task Summary	Action required	Event	Required Submit date
CIVIL-1	Prior to the start of site grading, the project owner shall submit to the CBO for review and approval the following: 1. Design of the proposed drainage structures and the grading plan; 2. An erosion and sedimentation control plan; 3. Related calculations and specifications, signed and stamped by the responsible civil engineer; and 4. Soils report as required by the 1998 CBC, Appendix Chapter 33, section 3309.5, Soils Engineering Report and section 3309.6, Engineering Geology Report.	At least 15 days prior to the start of site grading, the project owner shall submit the documents described above to the CBO for review and approval.	15 days prior to start of rough grading	11/12/21
CIVIL-3	The project owner shall perform inspections in accordance with the 1998 CBC, Chapter 1, Section 108, Inspections, Chapter 17, Section 1701.6, Continuous and Periodic Special Inspection and Appendix Chapter 33, Section 3317, Grading Inspection. All plant site-grading operations shall be subject to inspection by the CBO and the CPM. If, in the course of inspection, it is discovered that the work is not being done in accordance with the approved plans, the discrepancies shall be reported immediately to the resident engineer, the CBO, and the CPM. The project owner shall prepare a written report detailing all discrepancies and non-compliance items, and the proposed corrective action, and send copies to the CBO and the CPM.	The project owner shall perform inspections in accordance with the 1998 CBC, Chapter 1, Section 108, Inspections, Chapter 17, Section 1701.6, Continuous and Periodic Special Inspection and Appendix Chapter 33, Section 3317, Grading Inspection.	Start of Rough Grading	11/12/21
Governor's Executive Order No. D-25-01	Milestones, and method of verification must be established and agreed upon by the project owner and the CPM no later than 30 days after project approval, the date of docketing. If this deadline is not met, the CPM will establish the milestones.	ESTABLISH PRE-CONSTRUCTION MILESTONES TO ENABLE START OF CONSTRUCTION WITHIN ONE YEAR OF CERTIFICATION 1. Obtain site control. 2. Obtain financing. 3. Mobilize site. 4. Begin rough grading for permanent structures (start of construction)	Project Certification	10/24/001
Governor's Executive Order No. D-25-01	Milestones, and method of verification must be established and agreed upon by the project owner and the CPM no later than 30 days after project approval, the date of docketing. If this deadline is not met, the CPM will establish the milestones.	ESTABLISH CONSTRUCTION MILESTONES FROM DATE OF START OF CONSTRUCTION 1. Begin pouring major foundation concrete. 2. Begin installation of major equipment. 3. Complete installation of major equipment. 4. Begin gas pipeline construction. 5. Complete gas pipeline interconnection. 6. Begin T-line construction. 7. Complete T-line interconnection. 8. Begin commercial operation.	Project Certification	10/24/21
US Dep Commerce	The project applicant shall notify the NMFS Santa Rosa office when project construction begins and ends. (horizontal drilling)	Notify NMFS	Start of Rough Grading	11/12/21
Pre-mob matrix	Prior to commencing construction a compliance matrix addressing only those conditions that must be fulfilled before the start of construction shall be submitted by the project owner to the CPM. This matrix will be included with the project owner's first compliance submittal.	Construction shall not commence until the pre-construction matrix is submitted, all pre-construction conditions have been complied with, and the CPM has issued a letter to the project owner authorizing construction.	Start of Construction	12/19/21

PUBLIC INFORMATION CONTACT LOG

METCALF ENERGY CENTER
MONTHLY COMPLIANCE REPORT #3

MEC PUBLIC CONTACT LOG - December 2001

DATE/TIME	NAME & CONTACT	FORM OF CONTACT	PURPOSE OF CALL/CONTACT	ACTION/RESOLUTION
12/11/2001 9:00AM	Desmond D'Anna, Owner of Motor Shop	Mr. D'Anna contacted Art Gonzales in person at site	Complaint that dirt was being tracked on driveway in front of his business (Motor Shop).	A street sweeper clear in front of the Motor Shop businesses south of M and Passantino drivew
12/18/2001 11:00AM	Desmond D'Anna, Owner of Motor Shop	Mr. D'Anna called Mark Smolley of Calpine	Complaint that dirt was being tracked on driveway in front of his business.	A street sweeper clear in front of Motor Shop.
Not recorded	Jim Carbinette	MEC info. line	Looking for job site.	Provided location of jo
Not recorded	Jose	MEC info. line	Start date of project	Provided project status
Not recorded	Chris Line, PNF Distributors	MEC info. line	Procurement contact	Directed to Steve DeG Mortenson
Not recorded	Tom Shore, Shore Void Products	MEC info. line	Procurement contact	Directed to Steve DeG Mortenson
Not recorded	Steve Underwood, Western Piping Products	MEC info. line	Procurement contact	Directed to Steve DeG Mortenson
Not recorded	Brenda, ICI Deluxe Paint	MEC info. line	Procurement contact	Directed to Steve DeG Mortenson

STATUS OF CBO SUBMITTALS

METCALF ENERGY CENTER
MONTHLY COMPLIANCE REPORT #3

STATUS OF CBO SUBMITTALS FOR DECEMBER 2001

CDC Number	Rev	Document Title	Approved/ Comments	Open/ Closed	Date Comment Ltr	Actual to CBO
CIVIL-1	0	TECHNICAL SPECIFICATION FOR EARTHWORK, GRADING AND STRUCTURAL BACKFILL	Comments	OPEN	11/15/2001	10/22/01
STRUC-1	0	FURNISHING AND DELIVERING READY-MIX CONCRETE		OPEN		10/19/01
GEN-2	0	CONCRETE WORK		OPEN		10/19/01
GEN-2	0	EMBEDDED STEEL AND ANCHOR BOLTS		OPEN		10/19/01
GEN-2	0	PURCHASE AND FABRICATION OF REINFORCING STEEL		OPEN		10/19/01
STRUC-1	0	CONCRETE AND EARTHWORK TESTING SERVICES		OPEN		10/19/01
CIVIL-1	0	SITE PLAN	Comments	CLOSED	9/18/2001	8/27/01
CIVIL-1	1	SITE PLAN	Approved	CLOSED	N/A	10/15/01
CIVIL-1	0	CONSTRUCTION FACILITIES	Comments	OPEN	9/18/2001	8/27/01
CIVIL-1	0	PLOT PLAN	Comments	OPEN	10/26/2001	9/18/01
CIVIL-1	0	STORM WATER PIPING PLAN	Comments	CLOSED	9/18/2001	8/27/01
CIVIL-1	1	STORM WATER PIPING PLAN	Comments	OPEN	10/26/2001	10/10/01
CIVIL-1	0	CLEARING, STRIPPING, AND STOCKPILE PLAN	Comments	CLOSED	9/18/2001	8/27/01
CIVIL-1	1	CLEARING, STRIPPING, AND STOCKPILE PLAN	Approved	CLOSED	N/A	10/19/01
CIVIL-1	0	EROSION CONTROL DETAILS	Comments	CLOSED	9/18/2001	8/27/01
CIVIL-1	1	EROSION CONTROL DETAILS	Approved	CLOSED	N/A	10/19/01
CIVIL-1	0	DRAINAGE DETAILS	Comments	CLOSED	9/18/2001	8/27/01
CIVIL-1	1	DRAINAGE DETAILS	Comments	OPEN	10/26/2001	10/10/01
CIVIL-1	0	ROUGH GRADING DETAILS	Comments	CLOSED	9/18/2001	8/27/01
CIVIL-1	1	ROUGH GRADING DETAILS	Approved	CLOSED	N/A	10/19/01
CIVIL-1	0	DRAINAGE HEADWALL DETAILS	Comments	CLOSED	9/18/2001	8/27/01
CIVIL-1	1	DRAINAGE HEADWALL DETAILS	Approved	CLOSED	N/A	10/19/01
CIVIL-1	0	ROUGH GRADING SECTIONS	Comments	CLOSED	9/18/2001	8/27/01
CIVIL-1	1	ROUGH GRADING SECTIONS	Approved	CLOSED	N/A	10/19/01

STATUS OF CBO SUBMITTALS FOR DECEMBER

COC Number	Rev	Document Title	Approved/ Comments	Open/ Closed	Date Comment Ltr	Actual to CBO
CIVIL-1	0	RETAINING WALL PLAN, PROFILE AND DETAILS	Comments	CLOSED	9/18/2001	8/27/01
CIVIL-1	1	RETAINING WALL PLAN, PROFILE AND DETAILS	Comments	OPEN	10/26/2001	10/10/01
CIVIL-1	0	ROUGH GRADING PLAN PHASE 1	Comments	CLOSED	9/18/2001	8/27/01
CIVIL-1	1	ROUGH GRADING PLAN PHASE 1	Approved	CLOSED	N/A	10/15/01
CIVIL-1	2	ROUGH GRADING PLAN PHASE 1	Approved	CLOSED	N/A	10/19/01
CIVIL-1	3	ROUGH GRADING PLAN PHASE 1		OPEN		10/25/01
CIVIL-1	0	ROUGH GRADING PLAN PHASE 2	Comments	CLOSED	9/18/2001	8/27/01
CIVIL-1	1	ROUGH GRADING PLAN PHASE 2	Approved	CLOSED	N/A	10/19/01
CIVIL-1	0	MAIN ACCESS ROAD PLAN AND PROFILE	Comments	CLOSED	9/18/2001	8/27/01
CIVIL-1	1	MAIN ACCESS ROAD PLAN AND PROFILE	Approved	CLOSED	N/A	10/19/01
CIVIL-1	0	RAILROAD PLAN AND PROFILE	Comments	CLOSED	9/18/2001	8/27/01
CIVIL-1	1	RAILROAD PLAN AND PROFILE	Approved	CLOSED	N/A	10/19/01
CIVIL-1	0	DESIGN OF REINFORCED CONCRETE RETAINING WALL	Comments	OPEN	10/26/2001	10/10/01
CIVIL-1	1	EROSION AND SEDIMENT CONTROL AND STORM WATER MANAGEMENT PLAN	Comments	CLOSED	9/18/2001	8/27/01
CIVIL-1	2	EROSION AND SEDIMENT CONTROL AND STORM WATER MANAGEMENT PLAN	Approved	CLOSED	N/A	10/19/01
CIVIL-1	0	ENGINEERING GEOLOGY REPORT	Comments	OPEN	9/18/2001	8/27/01
CIVIL-1	0	PRELIMINARY STORM WATER MANAGEMENT BASIN SIZING CALCULATION	Comments	OPEN	9/18/2001	8/27/01
CIVIL-1	0	STORM DRAIN SYSTEM DESIGN	Comments	CLOSED	9/18/2001	8/27/01
CIVIL-1	1	STORM DRAIN SYSTEM DESIGN	Comments	OPEN	10/26/2001	10/10/01
CIVIL-1	0	SUBSURFACE INVESTIGATION AND FOUNDATION REPORT	Comments	OPEN	9/18/2001	8/27/01
CIVIL-1	1	SUBSURFACE INVESTIGATION AND FOUNDATION REPORT	Comments	OPEN	N/A	11/30/01

STATUS OF CBO SUBMITTALS FOR DECEMBER 2001

COC Number	Rev	Document Title	Approved/ Comments	Open/ Closed	Date Comment Ltr	Actual to CBO
CIVIL-1	1	SUBSURFACE INVESTIGATION AND FOUNDATION REPORT (SEALED)		OPEN	N/A	1/4/02
MECH-1	B	P&ID FIRE PROTECTION SYSTEM		OPEN		10/31/01
MECH-1	B	P&ID FIRE PROTECTION SYSTEM		OPEN		10/31/01
MECH-1	B	P&ID DOMESTIC WATER SYSTEM		OPEN		10/31/01
MECH-1		P&ID SANITARY WASTE SYSTEM				
MECH-1	1	P&ID SYMBOLS AND LEGENDS		OPEN		10/31/01
MECH-1	1	P&ID SYMBOLS AND LEGENDS		OPEN		10/31/01
MECH-1	1	P&ID SYMBOLS AND LEGENDS		OPEN		10/31/01
MECH-1	1	P&ID SYMBOLS AND LEGENDS		OPEN		10/31/01
MECH-1	1	P&ID SYMBOLS AND LEGENDS		OPEN		10/31/01
GEN-2	1	BECHTEL CBO SUBMITTAL LIST		OPEN		10/17/01
GEN-2		BECHTEL CBO SUBMITTAL LIST	Comments	CLOSED	10/16/2001	9/28/01
GEN-2		PROPOSED LIST OF DOCUMENTS FOR THE CTG, STG, AND CONDENSER EQUIPMENT FOR SIEMENS WESTINGHOUSE	Comments	OPEN	9/28/2001	9/13/01
GEN-5		BIOLOGICAL SUMMARY AND ACCREDITATION OF Mr. JAMES THOMPSON FOR SIEMENS-WESTINGHOUSE	Approved	CLOSED	N/A	9/5/01
CIVIL-1		MR. KIT YIN NG, RPE CIVIL DRAINING/ERSION CONTROL	Approved	CLOSED		8/3/01
CIVIL-1		MR. BILL PETROSKI, HYDRAULIC ENGINEER (RESUBMITTAL)		OPEN		12/26/01
GEN-4		MR. ARTHUR B. BUTIC, RESIDENT CIVIL ENGINEER	Approved	CLOSED		8/1/01
GEN-4		MR. SHUKE MIAO, RESIDENT CIVIL ENGINEER (RESUBMITTAL)		OPEN		12/12/01
GEN-5		MR. THOMAS FRANKERT, CIVIL ENGINEER	Approved	CLOSED		8/1/01
GEN-5		MR. MARTIN BALLOD, CIVIL AND DESIGN ENGINEER		OPEN		11/26/01

STATUS OF CBO SUBMITTALS FOR DECEMBER 2001

COC Number	Rev	Document Title	Approved/ Comments	Open/ Closed	Date Comment Ltr	Actual to CBO
GEN-5		MR. MAHANDRA R. GANDHI, ELECTRICAL ENGINEER	Approved	CLOSED		8/1/01
GEN-5		MR. IRA RUBIN, ELECTRICAL ENGINEER (RESUBMITTAL)		OPEN		11/26/01
GEN-5		MR. DEV CHATTOPADHYAY, MECHANICAL ENGINEER	Approved	CLOSED		8/1/01
GEN-5		MR. MIKE MASI, MECHANICAL ENGINEER (RESUBMITTAL)		OPEN		11/26/01
GEN-5		MR. IGNACIO ARRANGO'S RESUME, GEO TECH ENGINEER	Approved	CLOSED	N/A	9/4/01
GEN-5		MR. C. BARRY BUTLER AND MR. RICHARD G. WOODARD, GEOTECHNICAL ENGINEERS (RESUBMITTAL)		OPEN		12/17/01
GEN-6		MR. DAVID GRAY'S RESUME FOR SIEMENS WESTINGHOUSE	Approved	CLOSED	N/A	9/4/01
GEN-6		MR. JOHN NELSON AND ROMAN REYES, CIVIL ENGINEER RESUMES	Approved	OPEN	N/A	9/28/01