



**California Department of Fish and Wildlife
Central Region
1234 EAST SHAW AVENUE
FRESNO, CALIFORNIA 93710**

California Endangered Species Act
Incidental Take Permit No. 2081-2019-028-04

B.F. SISK SAFETY OF DAMS GEOTECHNICAL INVESTIGATIONS PROJECT

Authority: This California Endangered Species Act (CESA) incidental take permit (ITP) is issued by the California Department of Fish and Wildlife (CDFW) pursuant to Fish and Game Code section 2081, subdivisions (b) and (c), and California Code of Regulations, Title 14, section 783.0 et seq. CESA prohibits the take¹ of any species of wildlife designated by the California Fish and Game Commission as an endangered, threatened, or candidate species.² CDFW may authorize the take of any such species by permit if the conditions set forth in Fish and Game Code section 2081, subdivisions (b) and (c) are met. (See Cal. Code Regs., tit. 14, § 783.4).

Permittee:	California Department of Water Resources
Principal Officer:	Gerald Snow, Chief of Environmental Assessment Branch
Contact Person:	Shelly Amrhein, (916) 653-6973
Mailing Address:	1416 Ninth Street Sacramento, California 95814

Effective Date and Expiration Date of this ITP:

This ITP shall be executed in duplicate original form and shall become effective once a duplicate original is acknowledged by signature of the Permittee on the last page of this ITP and returned to CDFW's Habitat Conservation Planning Branch at the address listed in the Notices section of this ITP. Unless renewed by CDFW, this ITP's authorization to take the Covered Species shall expire on **March 31, 2021**.

Notwithstanding the expiration date on the take authorization provided by this ITP, Permittee's obligations pursuant to this ITP do not end until CDFW accepts as complete the Permittee's Final Mitigation Report required by Condition of Approval 6.7 of this ITP.

¹Pursuant to Fish and Game Code section 86, "'take' means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." (See also *Environmental Protection Information Center v. California Department of Forestry and Fire Protection* (2008) 44 Cal.4th 459, 507 [for purposes of incidental take permitting under Fish and Game Code section 2081, subdivision (b), "'take' ... means to catch, capture or kill".)

²The definition of an endangered, threatened, and candidate species for purposes of CESA are found in Fish and Game Code sections 2062, 2067, and 2068, respectively.

Project Location:

The B.F. Sisk Safety of Dams Geotechnical Investigations Project (Project) is located adjacent to the B.F. Sisk Dam, an impoundment for San Luis Reservoir, located 12 miles west of Los Banos, in Merced County, California (Figure 1).

Project Description:

The Project includes a variety of methods to explore and characterize embankment and foundation materials downstream of the dam axis to gather data for use in analysis and design of the joint United States Bureau of Reclamation and California Department of Water Resources (DWR) proposed B.F. Sisk Safety of Dams Modification Project (Figures 2 and 3). The Project activities include temporary access roads, excavation of 36 geotechnical borings using sonic and auger drilling methods, conducting 30 cone penetration tests (CPTs), 2 in-situ pump out tests at the dam (with 10 underground wells), and excavation of 24 test pits within the borrow areas. The Project site is approximately 2,500 acres, but ground-disturbing activities are only expected to occur over approximately 4 acres. The number of exploration sites listed in this Project Description is a best estimate and the total number may be adjusted as needed; however, ground-disturbing activities will not exceed 4 acres.

The Project site includes the dam and surrounding area; borrow areas next to O'Neill Forebay, adjacent areas for vehicle parking, and access roads; and Basalt Hill Quarry, the access route to the quarry and landslide area, and an area for vehicle parking. Ongoing geotechnical drilling will be completed at the dam on the downstream face and toe of the existing embankment. A series of test blasts and crushing operations will occur at Basalt Hill to inform the size and quality of materials at the quarry for potential future use. Other geotechnical investigations are proposed along a former haul route between Basalt Hill and the San Luis Reservoir, approximately 0.40 mile east of Basalt Hill, to evaluate the existing landslide condition. Results of the geotechnical investigations will be used to inform decisions for road repair and/or reestablishment.

A 70-foot radius work site will be cleared, mowed, and graded to create a level surface at each drill hole location downstream of the dam. A 25-foot-wide strip of grass will be mowed down to 2-inches for equipment to reach the test pit locations. The test pit locations are up to 800 feet from the nearest access roads. New temporary access roads are necessary for equipment to access boring locations at the dam. Access roads will be approximately 16 feet wide and be located less than 400 feet from the nearest existing maintenance road. These access roads will be left in place or re-contoured to pre-drilling conditions depending on their location and dam safety requirements.

As stated above, geotechnical borings will occur at the downstream face and toe of the dam. The dam is characterized as four separate sections – the right abutment, the left abutment, North Valley Section (NVS), and South Valley Section (SVS). Up to three drill crews may be

working concurrently. The diameter of the drill holes will not exceed 12 inches. Drilling will occur at the NVS and SVS first. Drilling at the right abutment and left abutment will occur after drilling at the NVS and SVS are completed.

Sixteen of the 36 geotechnical borings will be drilled using sonic drilling and sampling methods and 20 geotechnical borings will be drilled using hollow stem flight auger dry core methods. Sonic drilled borings will range between 20 and 205 feet. Samples and testing include standard penetration and testing, vane shear testing, Shelby tube, acrylic tube, and bulk sampling. Upon completion, some drill holes will install groundwater observation wells. The remaining four remaining borings that use this method will be backfilled with bentonite to within one foot of ground surface. Drill cuttings will be used to backfill the top one foot of the hole. Any excess cuttings will be scattered and left on-site. The observation wells will be comprised of two-inch PVC pipe with a 0.01- or 0.02-inch slotted interval in the groundwater zone. The annulus between the outside of the well casing and the boring sidewall will be backfilled with a clean sand filter and bentonite chips to seal the observation well from surface water influence. Access boxes with bolt-down lockable lids will be installed at the ground surface. Concrete will be placed around the outside of the boxes to secure the boxes place. Concrete will extend about 1-foot (laterally) beyond the boxes and will extend 1-foot below ground. Wells will remain in place until a final corrective action for the dam is selected.

Borings that use hollow stem flight auger dry core methods will range between 20 feet to 115 feet below the ground surface. A track-mounted drill rig will be used at locations that are not located on access roads. Samples and testing will be similar to sonic drilling and sample methods. Drill holes will be converted to observation wells after testing and sampling is completed. It is anticipated that all observation wells will need to be drilled out and backfilled with bentonite during implementation of the selected corrective action.

Cone penetration testing (CPT) will be used to determine geotechnical engineering properties and contacts of foundation soil and will be advanced (pushed) using 2-inch diameter steel rods equipped with electronic sensors. A 20- to 30-ton dual-axle truck equipped with hydraulic rams will be used to advance the CPT rods to depths ranging between 150 to 190 feet. The CPT method does not generate soil cuttings. Three of the CPT sites are located on the downstream face of the dam where there the rig will not be able to advance through the rock. A sonic drill will be used at these locations to core through the embankment until it reaches soil and CPT begins. Twenty of the CPT sites are located on an existing access road at the downstream toe and will be spaced 100 feet apart. The remaining six CPT sites are located within 500 feet of the downstream toe. The holes will be filled with hydrated granular bentonite upon completion.

Two groundwater pumping wells and eight associated observation wells will be installed within 700 feet of the downstream toe of the dam for in-situ pump out testing. The holes will

be drilled using hollow stem flight auger dry core or sonic drilling methods. Data collected will be used to design a dewatering system necessary to allow for excavation of foundation soils during construction of the selected corrective action. Drill holes will be advanced as part of well installation and will not exceed 12 inches in diameter. Wells will be installed from a depth of 25 feet to 70 feet. Each location will consist of one pumping well and four observation wells. Each pumping well will be constructed with 6-inch diameter PVC, 0.01-inch slotted screen. Each observation well will be constructed with 2-inch diameter PVC, 0.01-inch slotted screen. The annulus between the outside of the well casing and the boring side wall will be backfilled with a clean sand filter and bentonite chips to seal the well from surface water influence. The wells will temporarily protrude from about 2 feet above the ground surface during pumping tests but will ultimately be cut below ground surface and access boxes with bolt-down lockable lids would be installed flush with the ground surface. Concrete will be placed around the outside of the boxes, approximately 1 foot laterally and 1 foot below surface, to sure boxes in-place. It is anticipated that the wells will be drilled out and filled with bentonite during implementation of the selected corrective action.

A total of 24 test pits will be excavated within the borrow area locations to evaluate in-situ conditions and obtain samples. Test pits will be excavated using a rubber-tired backhoe or track-mounted excavator. Five test pits are proposed at one borrow area to be 20 feet deep, 30 feet long, and 30 feet wide, and 19 test pits are proposed at the other borrow area to be 25 feet deep, 50 feet long, and 50 feet wide. The top 6 inches of the ground surface at each test point location will be removed to retain organic matter and seed bank as topsoil for backfill to facilitate revegetation. Each test pit would be benched (3 feet wide by 3 feet deep) to stabilize sidewalls and allow workers to safely access the test pit to perform data collection. The test pits will be backfilled with the excavated material and the top 6 inches will be replaced upon completion. The material will be tamped with the backhoe bucket to achieve a level of compaction deemed acceptable for surrounding land use. The topsoil set aside at the beginning of the excavation will be replaced last. Each test pit will be completed in one day at each location. No test pits will be open overnight.

Blasting will occur at the Basalt Hill Quarry. Access to Basalt Hill will be via existing paved and gravel roads. Equipment, including excavators and dump trucks, will be left on-site and parked overnight. Explosives will be stored off-site and trucked in daily. Test blasts will be conducted at multiple locations within the quarry. Overburden materials will be stripped using a tracked excavator and a large dump truck. Blasting shot holes will be drilled using a track mounted air hammer. Shot holes will be drilled between 10 and 30 feet in depth then detonating charge will be placed in the holes. A series of 3 to 10 blasts is anticipated. Material crushing, sorting, and washing will be performed within the quarry or at an off-site commercial plant. If materials are processed within the quarry, water will be pumped from the reservoir and trucked to the quarry for use with blasting and washing operations. Wastewaters will be captured and stored in settling ponds in the quarry then dispersed by overland flow or sprayed after being filtered. Processed materials, rock fragments, and

stripped overburden materials will be stockpiled within the quarry. Noise levels may exceed 110 decibels (dB) at 50 feet from the source and up to 100 dB during the crushing operations. Noise and vibration monitoring equipment will be installed at up to 10 locations within a 2-mile radius of the quarry. These instruments will be hand-carried to the site, placed directly on the ground, and held in place by stakes. The instruments are removed after data is recorded.

Geotechnical investigations are proposed along a former haul route between Basalt Hill and the San Luis Reservoir to evaluate an existing landslide condition. Results of the geotechnical investigations would help determine if the road could be reestablished. Access to the landslide area will be via existing roads. Two to 5 exploratory holes will be drilled within the Basalt Hill landslide from a truck mounted auger drill-rig. Holes will be approximately 8.5 inches in diameter and drilled to depths of 50 to 70 feet using flight auger dry core methods. Water for the drilling operations will be pumped from the reservoir and trucked to the work site. Sampling will alternate between standard penetration tests and undisturbed sampling using Lexan tubes. Drill cuttings will be disposed of on site by being spread evenly on the ground. Drill holes will be completed as piezometers or inclinometers and capped using a flush-mount utility box. A 2-foot diameter concrete pad will be installed with a metal box to cover the instruments to prevent disturbance. All drill sites will be returned to pre-drilling conditions using hand tools upon completion. Once instrument stations have fulfilled their usefulness, they will be removed using hand tools and an excavator, drill holes will be filled with bentonite, and any excess equipment and concrete will be disposed of at an approved facility.

In addition, one test pit will be excavated to evaluate the landslide mass. The test pit will be excavated to an approximate depth of 25 feet and its dimensions will be no larger than 50 feet by 50 feet. The test pit will be benched (3 feet wide by 3 feet deep) to stabilize side walls and allow workers to safely access the test pit. If the evaluation cannot be completed in one day, escape ramps for wildlife will be installed. The test pit will be backfilled with excavated material and tamped down with a backhoe bucket to a level of compaction deemed acceptable for surrounding land use upon completion. Three accelerometers will be installed within the landslide area. They will be carried to the site, placed directly on the ground, and staked or mounted on existing structures.

Covered Species Subject to Take Authorization Provided by this ITP:

This ITP covers the following species:

Name	CESA Status
1. California tiger salamander (<i>Ambystoma californiense</i>)	Threatened ³

This species and only this species is the “Covered Species” for the purposes of this ITP.

³See Cal. Code Regs. tit. 14 § 670.5, subd. (b)(3)(G).

Impacts of the Taking on Covered Species:

Project activities and their resulting impacts are expected to result in the incidental take of individuals of the Covered Species. The activities described above expected to result in incidental take of individuals of the Covered Species include sonic and auger drilling methods; cone penetration testing; in-situ pump out testing; test pits methods; blasting; clearing; mowing; scraping; crushing, sorting, and washing processed materials; installing two groundwater pumping wells and eight observation wells; dewatering; excavating; and splitting rock (Covered Activities).

The equipment to be used for this Project includes truck mounted auger drill-rig; truck mounted sonic rig; excavators; graders; bulldozers; dump trucks; explosives; shovels; rakes; hammer and/or down-the-hole drill rig; grizzly; crushers; maintenance vehicles; off highway trucks; modified highway trucks; highway trucks; conveyor; water trucks; loaders; surface seismic refraction lines; sledge hammer; drop hammer; and all-terrain vehicle.

Covered Activities may result in incidental take of individuals in the form of mortality ("kill") as a result of: equipment strikes during ingress and egress and hauling of materials, collapse or excavation of occupied burrows that results in crushing or suffocation of underground individuals during grading and compaction, entombment of individuals from deposition of stockpiled material or spoils over occupied burrows and during top soil, or soil compaction, grading activities, the capture or entrapment in holes or trenches, excavation of burrow systems, entrapment within barrier fencing constructed around the Project area. Incidental take of Covered Species may also occur from the Covered Activities in the form of pursuit, catch, capture, or attempt to do so during capture and relocation of Covered Species out of harm's way as required by this ITP.

Potential indirect impacts to Covered Species and their habitat include effects of ground-disturbing activities associated with implementation of Covered Activities. These impacts include: stress resulting from noise and vibrations from earthwork, equipment operation, and traffic; temporary displacement; increased vulnerability to predation, exposure, or stress through disorientation; and loss of burrowing habitat used for shelter and escape cover. Individuals displaced due to habitat loss and degradation may be unable to survive in adjacent areas if these areas are at carrying capacity or are unsuitable for colonization.

The Project is expected to cause the temporary loss of 4 acres of habitat for the Covered Species. The area where authorized take of the Covered Species is expected to occur include temporary impacts to agriculture lands (grazing), wetland, non-native annual grassland (upland), and perennial grassland that provide habitat features for Covered Species totaling approximately 2,500 acres (collectively, the Project Area; Figure 2), however, ground disturbance activities would occur over approximately 4 acres. The remainder of the Project site includes disturbed areas or habitat types that Covered Species

may incidentally occupy for short periods during dispersal but are not generally considered refugia habitat for the Covered Species.

Incidental Take Authorization of Covered Species:

This ITP authorizes incidental take of the Covered Species and only the Covered Species. With respect to incidental take of the Covered Species, CDFW authorizes the Permittee, its employees, contractors, and agents to take Covered Species incidentally in carrying out the Covered Activities, subject to the limitations described in this section and the Conditions of Approval identified below. This ITP does not authorize take of Covered Species from activities outside the scope of the Covered Activities, take of Covered Species outside of the Project Area, take of Covered Species resulting from violation of this ITP, or intentional take of Covered Species except for capture and relocation of Covered Species as authorized by this ITP.

Conditions of Approval:

Unless specified otherwise, the following measures apply to all Covered Activities within the Project Area, including areas used for vehicular ingress and egress, staging and parking, and noise and vibration generating activities that may/will cause take. CDFW's issuance of this ITP and Permittee's authorization to take the Covered Species are subject to Permittee's compliance with and implementation of the following Conditions of Approval:

1. **Legal Compliance:** Permittee shall comply with all applicable federal, state, and local laws in existence on the effective date of this ITP or adopted thereafter.
2. **CEQA Compliance:** Permittee shall implement and adhere to the mitigation measures related to the Covered Species in the Biological Resources section of the Environmental Impact Report (SCH No.: 2009091004) certified by the California Department of Water Resources on December 5, 2019, as lead agency for the Project pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.).
3. **LSA Agreement Compliance:** Permittee shall implement and adhere to the mitigation measures and conditions related to the Covered Species in any Lake or Streambed Alteration (LSA) Agreement issued for this Project executed by CDFW pursuant to Fish and Game Code section 1600 et seq.
4. **ITP Time Frame Compliance:** Permittee shall fully implement and adhere to the conditions of this ITP within the time frames set forth below and as set forth in the Mitigation Monitoring and Reporting Program (MMRP), which is included as Attachment 1 to this ITP.

5. General Provisions:

- 5.1. Designated Representative. Before starting Covered Activities, Permittee shall designate a representative (Designated Representative) responsible for communications with CDFW and overseeing compliance with this ITP. Permittee shall notify CDFW in writing before starting Covered Activities of the Designated Representative's name, business address, and contact information, and shall notify CDFW in writing if a substitute Designated Representative is selected or identified at any time during the term of this ITP.
- 5.2. Designated Biologist. Permittee shall submit to CDFW in writing the name, qualifications, business address, and contact information of a biological monitor (Designated Biologist) at least 30 days before starting Covered Activities. Permittee shall ensure that the Designated Biologist is knowledgeable and experienced in the biology, natural history, collecting and handling of the Covered Species. The Designated Biologist shall be responsible for monitoring Covered Activities to help minimize and fully mitigate or avoid the incidental take of individual Covered Species and to minimize disturbance of Covered Species' habitat. Permittee shall obtain CDFW approval of the Designated Biologist in writing before starting Covered Activities and shall also obtain approval in advance in writing if the Designated Biologist must be changed.
- 5.3. Designated Biologist Authority. To ensure compliance with the Conditions of Approval of this ITP, the Designated Biologist shall have authority to immediately stop any activity that does not comply with this ITP, and/or to order any reasonable measure to avoid the unauthorized take of an individual of the Covered Species.
- 5.4. Education Program. Permittee shall conduct an education program for all persons employed or otherwise working in the Project Area before performing any work. The program shall consist of a presentation from the Designated Biologist that includes a discussion of the biology and general behavior of the Covered Species, information about the distribution and habitat needs of the Covered Species, sensitivity of the Covered Species to human activities, its status pursuant to CESA including legal protection, recovery efforts, penalties for violations and Project-specific protective measures described in this ITP. Permittee shall provide interpretation for non-English speaking workers, and the same instruction shall be provided to any new workers before they are authorized to perform work in the Project Area. Permittee shall prepare and distribute wallet-sized cards or a fact sheet handout containing this information for workers to carry in the Project Area. Upon completion of the program, employees shall sign a form stating they attended the program and understand all protection

measures. This training shall be repeated at least once annually for long-term and/or permanent employees that will be conducting work in the Project Area.

- 5.5. Construction Monitoring Notebook. The Designated Biologist shall maintain a construction-monitoring notebook on-site throughout the construction period, which shall include a copy of this ITP with attachments and a list of signatures of all personnel who have successfully completed the education program. Permittee shall ensure a copy of the construction-monitoring notebook is available for review at the Project site upon request by CDFW.
- 5.6. Trash Abatement. Permittee shall initiate a trash abatement program before starting Covered Activities and shall continue the program for the duration of the Project. Permittee shall ensure that trash and food items are contained in animal-proof containers and removed at least once a week to avoid attracting opportunistic predators such as ravens, coyotes, and feral dogs.
- 5.7. Dust Control. Permittee shall implement dust control measures during Covered Activities to facilitate visibility for monitoring of the Covered Species by the Designated Biologist. Permittee shall keep the amount of water used to the minimum amount needed and shall not allow water to form puddles.
- 5.8. Erosion Control Materials. Permittee shall prohibit use of erosion control materials potentially harmful to Covered Species and other species, such as monofilament netting (erosion control matting) or similar material, in potential Covered Species' habitat.
- 5.9. Delineation of Work Area Boundaries. Permittee shall clearly delineate the boundaries of the Work Area with fencing, stakes, or flags before starting Covered Activities. The Work Area is defined as a discrete zone along any part of the active phase of the Project Area where Covered Activities will occur. Permittee shall restrict all Covered Activities to within the fenced, staked, or flagged Work Area. Permittee shall maintain all fencing, stakes, and flags until the completion of Covered Activities in each Work Area. Wildlife exclusion fencing shall not be installed along lengthy linear Work Areas (e.g., access roadways) to prevent impacts to Covered Species dispersing through the area during migratory activities. The Work Area(s) are defined as the discrete zone(s) within the Project Area where Covered Activities will actively occur.
- 5.10. Delineation of Habitat. Permittee shall clearly delineate habitat of the Covered Species within the Project Area with posted signs, posting stakes, flags, and/or rope or cord, and place fencing as necessary to minimize the disturbance of Covered Species' habitat.

- 5.11. Project Access. Project-related personnel shall access the Project Area using existing routes, or routes identified in the Project Description, and shall not cross Covered Species' habitat outside of or en route to the Project Area. Permittee shall restrict Project-related vehicle traffic to established roads, staging, and parking areas. Permittee shall ensure that vehicle speeds do not exceed 20 miles per hour to avoid Covered Species on or traversing the roads. If Permittee determines construction of routes for travel are necessary outside of the Project Area, the Designated Representative shall contact CDFW for written approval before carrying out such an activity. CDFW may require an amendment to this ITP, among other reasons, if additional take of Covered Species will occur as a result of the Project modification.
- 5.12. Staging Areas. Permittee shall confine all Project-related parking, storage areas, laydown sites, equipment storage, and any other surface-disturbing activities to the Project Area using, to the extent possible, previously disturbed areas. Additionally, Permittee shall not use or cross Covered Species' habitat outside of the marked Project Area unless provided for as described in Condition of Approval 5.11 of this ITP.
- 5.13. Hazardous Waste. Permittee shall immediately stop and, pursuant to pertinent state and federal statutes and regulations, arrange for repair and clean up by qualified individuals of any fuel or hazardous waste leaks or spills at the time of occurrence, or as soon as it is safe to do so. Permittee shall exclude the storage and handling of hazardous materials from the Project Area and shall properly contain and dispose of any unused or leftover hazardous products off site.
- 5.14. CDFW Access. Permittee shall provide CDFW staff with reasonable access to the Project and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in this ITP.
- 5.15. Refuse Removal. Upon completion of Covered Activities, Permittee shall remove from the Project Area and properly dispose of all temporary fill and construction refuse, including, but not limited to, broken equipment parts, wrapping material, cords, cables, wire, rope, strapping, twine, buckets, metal or plastic containers, and boxes.

6. Monitoring, Notification and Reporting Provisions:

- 6.1. Notification Before Commencement. The Designated Representative shall notify CDFW five (5) calendar days before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities.

- 6.2. Notification of Non-compliance. The Designated Representative shall immediately notify CDFW in writing if it determines that the Permittee is not in compliance with any Condition of Approval of this ITP, including but not limited to any actual or anticipated failure to implement measures within the time periods indicated in this ITP and/or the MMRP. The Designated Representative shall report any non-compliance with this ITP to CDFW within 24 hours.
- 6.3. Compliance Monitoring. The Designated Biologist shall be on site daily when Covered Activities occur. The Designated Biologist shall conduct compliance inspections to (1) minimize incidental take of the Covered Species; (2) prevent unlawful take of species; (3) check for compliance with all measures of this ITP; (4) check all exclusion zones; and (5) ensure that signs, stakes, and fencing are intact, and that Covered Activities are only occurring in the Project Area. The Designated Representative or Designated Biologist shall prepare daily written observation and inspection records summarizing: oversight activities and compliance inspections, observations of Covered Species and their sign, survey results, and monitoring activities required by this ITP. The Designated Biologist shall conduct compliance inspections a minimum of once per week during periods of inactivity and after clearing, grubbing, and grading are completed.
- 6.4. Monthly Compliance Report. The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in Condition of Approval 6.3 into a Monthly Compliance Report and submit it to CDFW along with a copy of the MMRP table with notes showing the current implementation status of each mitigation measure. Monthly Compliance Reports shall be submitted to the CDFW offices listed in the Notices section of this ITP and via e-mail to CDFW's Regional Representative, Regional Office, and Headquarters CESA Program. At the time of this ITP's approval, the CDFW Regional Representative is Jim Vang (Jim.Vang@wildlife.ca.gov), the CDFW Regional Office email is R4CESA@wildlife.ca.gov, and Headquarters CESA Program email is CESA@wildlife.ca.gov. CDFW may at any time increase the timing and number of compliance inspections and reports required under this provision depending upon the results of previous compliance inspections. If CDFW determines the reporting schedule must be changed, CDFW will notify Permittee in writing of the new reporting schedule.
- 6.5. Covered Species Mortality Reduction and Relocation Plan. The Designated Biologist(s) shall prepare a Covered Species Mortality Reduction and Relocation Plan. It shall include, but not be limited to, a description (with maps) of the suitable breeding and upland habitat at and near the Project Area; the portion of the Project Area which represents suitable upland habitat for the Covered Species; a discussion of the survey, excavation, capture, handling, and relocation

methods; identification of where the individuals will be relocated to; and identification of a wildlife rehabilitation center or veterinary facility. The Covered Species Mortality Reduction and Relocation Plan will be submitted to CDFW for approval prior to the beginning of the Covered Activities. Covered Activities within the delineated habitat portion (Condition of Approval 5.10) of the Project Area shall not proceed until the Covered Species Mortality Reduction and Relocation Plan is approved in writing by CDFW. Only the approved Designated Biologist(s) are authorized to capture and handle the Covered Species.

- 6.6. CNDDDB Observations. The Designated Biologist shall submit all observations of Covered Species to CDFW's California Natural Diversity Database (CNDDDB) within 60 calendar days of the observation and the Designated Biologist shall include copies of the submitted forms with the next Monthly Compliance Report, whichever is submitted first relative to the observation.
- 6.7. Final Mitigation Report. No later than April 30, 2021, Permittee shall provide CDFW with a Final Mitigation Report. The Designated Biologist shall prepare the Final Mitigation Report which shall include, at a minimum: (1) a summary of all Monthly Compliance Reports; (2) a copy of the table in the MMRP with notes showing when each of the mitigation measures was implemented; (3) all available information about Project-related incidental take of the Covered Species; (4) information about other Project impacts on the Covered Species; (5) beginning and ending dates of Covered Activities; (6) an assessment of the effectiveness of this ITP's Conditions of Approval in minimizing and fully mitigating Project impacts of the taking on Covered Species; (7) recommendations on how mitigation measures might be changed to more effectively minimize take and mitigate the impacts of future projects on the Covered Species; (8) delineate and quantify the extent of all Project ground disturbance and features, including test locations, wells, access roads, and all other disturbance and features associated with the Project; and (9) any other pertinent information.
- 6.8. Notification of Take or Injury. Permittee shall immediately notify the Designated Biologist if a Covered Species is taken or injured by a Project-related activity, or if a Covered Species is otherwise found dead or injured within the vicinity of the Project. The Designated Biologist or Designated Representative shall provide initial notification to CDFW by calling the Regional Office at (559) 243-4005. The initial notification to CDFW shall include information regarding the location, species, and number of animals taken or injured and the ITP Number. Following initial notification, Permittee shall send CDFW a written report within two calendar days. The report shall include the date and time of the finding or incident, location

of the animal or carcass, and if possible provide a photograph, explanation as to cause of take or injury, and any other pertinent information.

7. Take Minimization Measures:

The following requirements are intended to ensure the minimization of incidental take of Covered Species in the Project Area during Covered Activities. Permittee shall implement and adhere to the following conditions to minimize take of Covered Species:

- 7.1. Pre-Activity Clearance Surveys. The Designated Biologist(s) shall perform Pre-Activity Clearance Surveys for the Covered Species within a Work Area no more than 14 days prior to starting Covered Activities. These surveys shall provide 100 percent visual coverage of the Work Area and a 50-foot buffer zone. If the Covered Species is found, the Designated Biologist(s) shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan described in Condition of Approval 6.5. The Permittee shall provide the survey results to CDFW in a written report prior to the beginning of Covered Activities.
- 7.2. Flag Burrows. The Designated Biologist(s) shall flag all potential small mammal burrows identified during the Pre-Activity Clearance Survey (Condition of Approval 7.1) within any Work Area and its 50-foot buffer associated with the Basalt Hill Quarry blasting activities, test pits, and/or grading activities not contained entirely within a pre-existing access road to alert work crews to their presence. After flagging is complete, the Designated Biologist(s) shall map all flagged burrows.
- 7.3. Small Mammal Burrow Surveys and Excavation. The small mammal burrows flagged within the Work Area and burrows that cannot be completely avoided by equipment and vehicles within the 50-foot buffer per Condition of Approval 7.2 shall be fully excavated by the Designated Biologist(s). The Designated Biologist(s) shall relocate any live Covered Species discovered during burrow excavation in accordance with the CDFW-approved Covered Species Mortality Reduction and Relocation Plan required in Condition of Approval 6.5 above. Excavation shall occur no more than 14 days after the completion of the Pre-Activity Clearance Surveys as described in Condition of Approval 7.1 above. The Designated Biologist(s) shall include the locations of all mammal burrow excavations on the burrow map as required in Condition of Approval 7.2 above. The burrow map(s) shall be submitted with the Monthly Compliance Report in accordance with Condition of Approval 6.4.
- 7.4. Covered Species Exclusion Fencing. After the clearance survey and Covered Species relocation efforts (Conditions of Approval 7.1, 7.2, and 7.3) are complete,

Permittee shall install temporary exclusion fencing around the perimeter of Work Areas associated with the Basalt Hill Quarry, test pits or be active for more than one day to prevent Covered Species from migrating into the Project Area. The Permittee shall submit the type of fencing material and design for CDFW written approval before exclusion fencing installation. The Permittee shall also avoid small mammal burrows to the maximum extent possible during the installation of the exclusion fencing. Alternatively, the Permittee can request in writing an exception to forgo installation of exclusion fencing if there is a compelling biological reason. CDFW will provide written approval of the exception to forgo fencing installation. Absent CDFW written concurrence, the Permittee shall install exclusion fencing around the Work Area perimeter in the manner approved by CDFW.

- 7.5. Exclusion Fencing Installation. The Designated Biologist(s) shall accompany the exclusion fence construction crew to ensure that Covered Species are not killed or injured during fence installation. The exclusion fencing shall be supported sufficiently to maintain its integrity under all conditions such as wind and heavy rain for the duration of the Covered Activities. The Designated Biologist(s) shall check the exclusion fence at least once weekly and inform Permittee of necessary maintenance or repairs. Exclusion fence shall be removed immediately upon completion of Covered Activities.
- 7.6. Fieldwork Code of Practice. To ensure that the Designated Biologist(s) does not convey disease between the Project Area and areas outside the Project Area, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force Fieldwork Code of Practice (see Attachment 2) shall be followed at all times. The Designated Biologist(s) may substitute a bleach solution (0.5 to 1.0 cup of bleach to 1.0 gallon of water) for the ethanol solution. The Designated Biologist(s) will ensure that all traces of the disinfectant are removed before entering the next aquatic habitat.
- 7.7. Covered Species Observations. All workers shall inform the Designated Biologist(s) if a Covered Species is seen within or near the Project Area. All work in the vicinity of the Covered Species, which could injure or kill the animal, shall cease immediately until the Covered Species moves from the Project Area of its own accord or is relocated by the Designated Biologist(s) in accordance with the CDFW-approved Covered Species Mortality Reduction and Relocation Plan specified in Condition of Approval 6.5 above.
- 7.8. Open Excavation Inspection. The Designated Biologist(s) shall inspect all open holes, sumps, and trenches within the Project Area at the beginning, middle, and end of each day for trapped Covered Species. To prevent inadvertent entrapment

of Covered Species, all open trenches, holes, sumps, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope shall have an escape ramp of earth or a non-slip material with a less than 1:1 (45 degree) slope. The Designated Biologist(s) shall thoroughly inspect all trenches, holes, sumps, and other excavations for Covered Species (or other wildlife) before they are back-filled. If any worker discovers that Covered Species have become trapped, Permittee shall cease all Project-related activities in the vicinity and notify the Designated Biologist(s) immediately. Project workers and the Designated Biologist(s) shall provide the opportunity for the Covered Species to escape unimpeded out of the Work Area before allowing work to continue. Alternatively, if the Covered Species will not leave the Project Area unimpeded, the Designated Biologist(s) shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan described in Condition of Approval 6.5, after receiving approval from the CDFW Regional Representative. If, at any time, a Covered Species is found incidentally trapped in the Project Area, the Permittee shall contact CDFW's Regional Representative within one (1) working day of the incident.

- 7.9. Rain Forecast. The Designated Biologist(s) and Permittee shall monitor the National Weather Service 72-hour forecast for the Project Area if Covered Activities within Covered Species habitat are scheduled to occur from October 15 through January 15. If a 70 percent or greater chance of rainfall is predicted within 24 hours of Project activity, the Designated Biologist(s) shall survey the Project Area before Covered Activities begin each day rain is forecast in order to capture and relocate Covered Species that are discovered during the surveys. If precipitation begins during Covered Activities, the Designated Biologist(s) shall remain at the Project Area for the duration of the rain event in order for Covered Activities to continue. If rain exceeds ½ inch during a 24-hour period, all Covered Activities shall cease until it is no longer raining and no further rain is forecast. Covered Activities may continue during rainfall events within Work Areas that have been cleared of Covered Species and enclosed with Covered Species exclusion fencing, in accordance with Conditions of Approval 7.3 and 7.4 above.
- 7.10. Equipment Inspection. Workers shall inspect for Covered Species under vehicles and equipment before the vehicles and equipment are moved. If a Covered Species is discovered during inspection, the worker shall notify the Designated Biologist(s) and wait for the Covered Species to move unimpeded out of the Project Area. Alternatively, if the Covered Species will not leave the Project Area unimpeded, the Designated Biologist(s) shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan described in Condition of Approval 6.5, after receiving approval from the CDFW Regional Representative. If, at any time, a Covered Species is

found in the Project Area, the Permittee shall contact CDFW's Regional Representative within one (1) working day of discovery.

- 7.11. Materials Inspection. Workers shall thoroughly inspect all construction pipe or similar material with a diameter of one (1) inch or greater that are stored for one or more overnight periods for Covered Species before the material is subsequently moved, buried, or capped. If, during inspection, a Covered Species is discovered inside a pipe or similar material, workers shall notify the Designated Biologist(s) and allow the animal to safely escape that section of the structure and allow it to move unimpeded out of the Project Area before allowing work to continue. Alternatively, if the Covered Species will not leave the Project Area unimpeded, the Designated Biologist(s) shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan described in Condition of Approval 6.5, after receiving approval from the CDFW Regional Representative. If, at any time, a Covered Species is found in the Project Area, the Permittee shall contact CDFW's Regional Representative within one (1) working day of discovery.
- 7.12. Night Work. All Covered Activities shall terminate 30 minutes before sunset and shall not resume until 30 minutes after sunrise except when night work is associated with an emergency response (defined by an imminent threat to life or significant property). Permittee shall ensure that all vehicle traffic necessary during nighttime hours associated with an emergency response shall be conducted with extra caution to minimize impacts to the Covered Species. Permittee shall use sunrise and sunset times established by the United States Naval Observatory Astronomical Applications Department for the geographic area where the Project is located.
- 7.13. Stockpiles. Permittee shall ensure that soil stockpiles are placed where soil shall not pass into potential Covered Species breeding pools; nor shall it pass into any "Waters of the State," in accordance with Fish and Game Code section 5650. Permittee shall appropriately protect/cover stockpiles to prevent soil erosion.
- 7.14. Record of Handling and Covered Species Reporting. All Covered Species captures, relocations, and observations by the Designated Biologist(s) shall include the following documented information: the date, time, and location of each occurrence using Global Positioning System technology; the name of the party that actually identified the animal; circumstances of the incident; the general condition and health of each individual; any diagnostic markings, sex, and age (juvenile or adult); actions undertaken; and habitat description. Permittee shall also submit this information to the CNDDDB as per Condition of Approval 6.6. This information should also be included in the Monthly Compliance Reports.

- 7.15. Covered Species Injury. If a Covered Species is injured as a result of Covered Activities, the Designated Biologist(s) shall immediately take it to a CDFW-approved wildlife rehabilitation or veterinary facility that routinely evaluates and treats amphibians. Permittee shall identify the facility in the CTS Mortality Reduction and Relocation Plan, prior to the start of Covered Activities. Permittee shall bear all costs associated with the care or treatment of such injured Covered Species. Permittee shall notify CDFW of the injury to the Covered Species immediately unless the incident occurs outside of normal business hours. In that event, CDFW shall be notified no later than the next business day. Notification to CDFW shall be via telephone or e-mail, followed by a written incident report as described in Condition of Approval 6.8. Notification shall include the date, time, location, and circumstances of the incident and the name of the facility where the animal was taken.

8. Habitat Management Land Acquisition and Restoration:

CDFW has determined that permanent protection and perpetual management of compensatory habitat is necessary and required pursuant to CESA to fully mitigate Project-related impacts of the taking on the Covered Species that will result with implementation of the Covered Activities. This determination is based on factors including an assessment of the importance of the habitat in the Project Area, the extent to which the Covered Activities will impact the habitat, and CDFW's estimate of the acreage required to provide for adequate compensation.

To meet this requirement, the Permittee shall purchase 4 acres of Covered Species credits from a CDFW-approved mitigation or conservation bank (Condition of Approval 8.1) The Permittee shall also restore on-site 4 acres of temporarily impacted Covered Species habitat pursuant to Condition of Approval 8.2 below.

- 8.1. Covered Species Credits. Permittee shall (1) purchase 4 acres of Covered Species credits from a CDFW-approved mitigation or conservation bank, and (2) provide CDFW with a copy of the mitigation or conservation credit certificate issued by the CDFW-approved mitigation or conservation banks. A copy of the credit certificate shall be kept at the Project site while conducting Covered Activities.
- 8.2. Habitat Restoration. Permittee shall restore on-site the 4 acres of Covered Species habitat that will be temporarily disturbed during construction to pre-Project or better conditions. Within two (2) months of issuance of this ITP, the Permittee shall prepare a Vegetation Restoration Plan to facilitate revegetation of the 4 acres of temporary construction disturbance on site and shall ensure that the Plan is successfully implemented by the contractor. The Plan shall include

detailed specifications for restoring all temporarily disturbed areas, such as seed mixes and application methods. The plan shall also indicate the best time of year for seeding to occur.

Amendment:

This ITP may be amended as provided by California Code of Regulations, Title 14, section 783.6, subdivision (c), and other applicable law. This ITP may be amended without the concurrence of the Permittee as required by law, including if CDFW determines that continued implementation of the Project as authorized under this ITP would jeopardize the continued existence of the Covered Species or where Project changes or changed biological conditions necessitate an ITP amendment to ensure that all Project-related impacts of the taking to the Covered Species are minimized and fully mitigated.

Stop-Work Order:

CDFW may issue Permittee a written stop-work order requiring Permittee to suspend any Covered Activity for an initial period of up to 25 days to prevent or remedy a violation of this ITP, including but not limited to the failure to comply with reporting or monitoring obligations, or to prevent the unauthorized take of any CESA endangered, threatened, or candidate species. Permittee shall stop work immediately as directed by CDFW upon receipt of any such stop-work order. Upon written notice to Permittee, CDFW may extend any stop-work order issued to Permittee for a period not to exceed 25 additional days. Suspension and revocation of this ITP shall be governed by California Code of Regulations, Title 14, section 783.7, and any other applicable law. Neither the Designated Biologist nor CDFW shall be liable for any costs incurred in complying with stop-work orders.

Compliance with Other Laws:

This ITP sets forth CDFW's requirements for the Permittee to implement the Project pursuant to CESA. This ITP does not necessarily create an entitlement to proceed with the Project. Permittee is responsible for complying with all other applicable federal, state, and local law.

Notices:

The Permittee shall deliver a fully executed duplicate original ITP by registered first class mail or overnight delivery to the following address:

Habitat Conservation Planning Branch
California Department of Fish and Wildlife
Attention: CESA Permitting Program
Post Office Box 944209
Sacramento, California 94244-2090

Written notices, reports and other communications relating to this ITP shall be delivered to CDFW by registered first class mail at the following address, or at addresses CDFW may

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B.F. SISK SAFETY OF DAMS GEOTECHNICAL INVESTIGATIONS PROJECT

subsequently provide the Permittee. Notices, reports, and other communications shall reference the Project name, Permittee, and ITP Number (2081-2019-028-04) in a cover letter and on any other associated documents.

Original cover with attachment(s) to:

Julie A. Vance, Regional Manager
California Department of Fish and Wildlife
1234 East Shaw Avenue
Fresno, California 93710
Telephone (559) 243-4005
Fax (559) 243-4022

and a copy to:

Habitat Conservation Planning Branch
California Department of Fish and Wildlife
Attention: CESA Permitting Program
Post Office Box 944209
Sacramento, California 94244-2090

Unless Permittee is notified otherwise, CDFW's Regional Representative for purposes of addressing issues that arise during implementation of this ITP is:

Jim Vang, Environmental Scientist
California Department of Fish and Wildlife
1234 East Shaw Avenue
Fresno, California 93710
Telephone (559) 243-4014, extension 254
Fax (559) 243-3004

Compliance with CEQA:

CDFW's issuance of this ITP is subject to CEQA. CDFW is a responsible agency pursuant to CEQA with respect to this ITP because of prior environmental review of the Project by the lead agency, California Department of Water Resources. (See generally Pub. Resources Code, §§ 21067, 21069.) The lead agency's prior environmental review of the Project is set forth in the B.F. Sisk Safety of Dams Geotechnical Investigations Project, (SCH No.: 2009091004) dated April 12, 2019, that the California Department of Water Resources certified for B.F. Sisk Safety of Dams Geotechnical Investigations Project on December 5, 2019. At the time the lead agency certified the EIR and approved the Project it also adopted various mitigation measures for the Covered Species as conditions of Project approval.

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This ITP, along with CDFW's related CEQA findings, which are available as a separate document, provide evidence of CDFW's consideration of the lead agency's EIR for the Project and the environmental effects related to issuance of this ITP (CEQA Guidelines, § 15096, subd. (f)). CDFW finds that issuance of this ITP will not result in any previously undisclosed potentially significant effects on the environment or a substantial increase in the severity of any potentially significant environmental effects previously disclosed by the lead agency. Furthermore, to the extent the potential for such effects exists, CDFW finds adherence to and implementation of the Conditions of Project Approval adopted by the lead agency, and that adherence to and implementation of the Conditions of Approval imposed by CDFW through the issuance of this ITP, will avoid or reduce to below a level of significance any such potential effects. CDFW consequently finds that issuance of this ITP will not result in any significant, adverse impacts on the environment.

Findings Pursuant to CESA:

These findings are intended to document CDFW's compliance with the specific findings requirements set forth in CESA and related regulations. (Fish & G. Code § 2081, subs. (b)-(c); Cal. Code Regs., tit. 14, §§ 783.4, subds, (a)-(b), 783.5, subd. (c)(2).)

CDFW finds based on substantial evidence in the ITP application, B.F. Sisk Safety of Dams Geotechnical Investigations Project, and the administrative record of proceedings, that issuance of this ITP complies and is consistent with the criteria governing the issuance of ITPs pursuant to CESA:

- (1) Take of Covered Species as defined in this ITP will be incidental to the otherwise lawful activities covered under this ITP;
- (2) Impacts of the taking on Covered Species will be minimized and fully mitigated through the implementation of measures required by this ITP and as described in the MMRP. Measures include: (1) the relocation of individuals of the Covered Species from within the Project Area; (2) worker education; (3) equipment, materials, and excavation inspections; and (4) Monthly Compliance Reports. CDFW evaluated factors including an assessment of the importance of the habitat in the Project Area, the extent to which the Covered Activities will impact the habitat, and CDFW's estimate of the acreage required to provide for adequate compensation. Based on this evaluation, CDFW determined that the purchase of credits equivalent to 4 acres of Covered Species habitat at a United States Fish and Wildlife Service and CDFW-approved mitigation or conservation bank prior to groundbreaking along with the minimization, monitoring, reporting, and funding requirements of this ITP minimizes and fully mitigates the impacts of the taking caused by the Project;

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- (3) The take avoidance and mitigation measures required pursuant to the conditions of this ITP and its attachments are roughly proportional in extent to the impacts of the taking authorized by this ITP;
- (4) The measures required by this ITP maintain Permittee's objectives to the greatest extent possible;
- (5) All required measures are capable of successful implementation;
- (6) Permittee has ensured adequate funding to implement the measures required by this ITP as well as for monitoring compliance with, and the effectiveness of, those measures for the Project; and
- (7) Issuance of this ITP will not jeopardize the continued existence of the Covered Species based on the best scientific and other information reasonably available, and this finding includes consideration of the species' capability to survive and reproduce, and any adverse impacts of the taking on those abilities in light of (1) known population trends; (2) known threats to the species; and (3) reasonably foreseeable impacts on the species from other related projects and activities. Moreover, CDFW's finding is based, in part, on CDFW's express authority to amend the terms and conditions of this ITP without concurrence of the Permittee as necessary to avoid jeopardy and as required by law.

Attachments:

FIGURE 1	Project Location Map
FIGURE 2	Project Location Map Showing Geotechnical Exploration Features
FIGURE 3	Blasting and Landslide Area
ATTACHMENT 1	Mitigation Monitoring and Reporting Program
ATTACHMENT 2	Declining Amphibian Populations Task Force Fieldwork Code of Practice

ISSUED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

on 3/23/2020

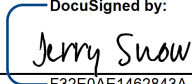
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 Julie A. Vance, Regional Manager
 CENTRAL REGION

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ACKNOWLEDGMENT

The undersigned: (1) warrants that he or she is acting as a duly authorized representative of the Permittee, (2) acknowledges receipt of this ITP, and (3) agrees on behalf of the Permittee to comply with all terms and conditions

By:  F32E0AE1462843A... Date: 3/24/2020

Printed Name: Jerry Snow Title: Chief, Env. Assessment Branch

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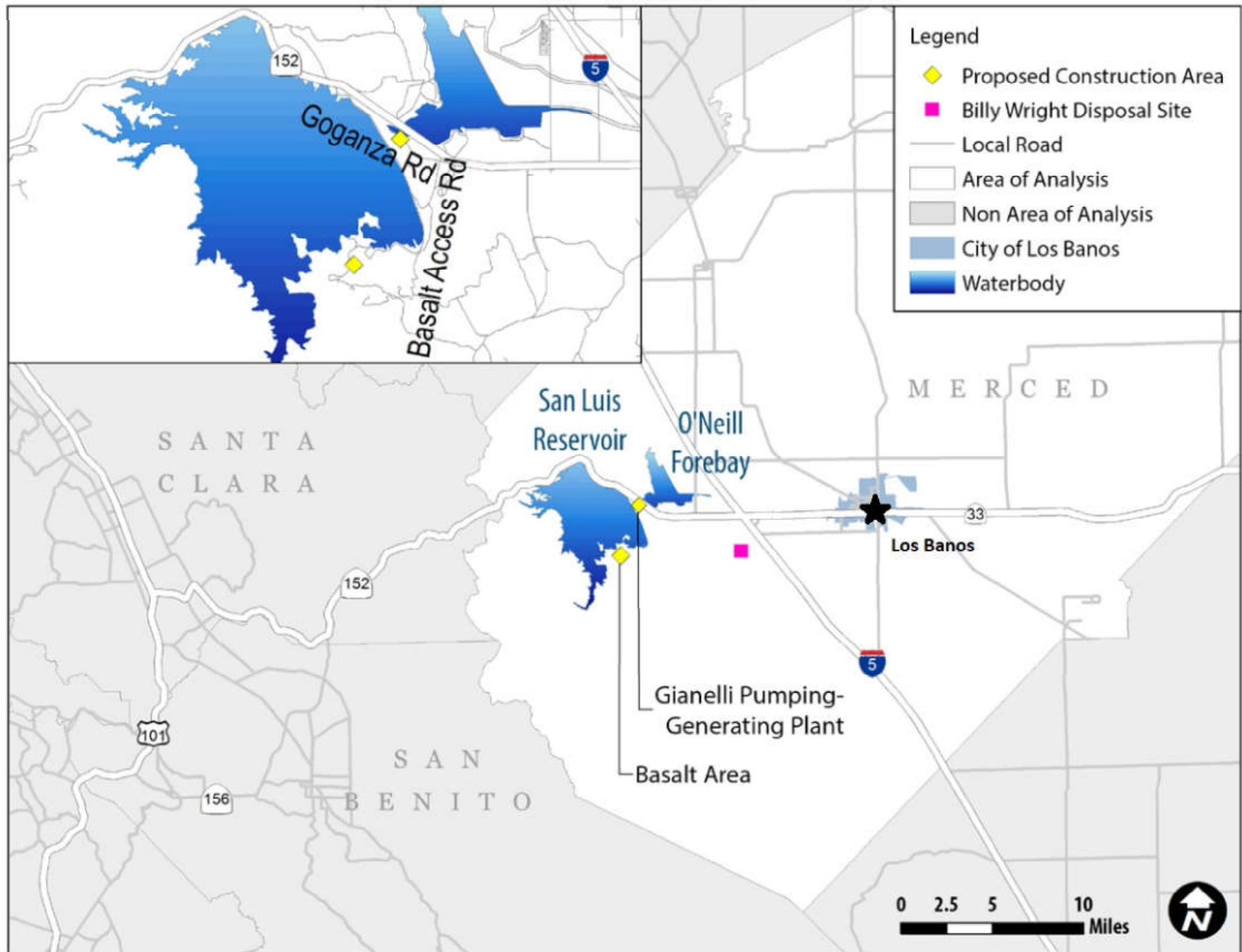


Figure 1: Project Location Map

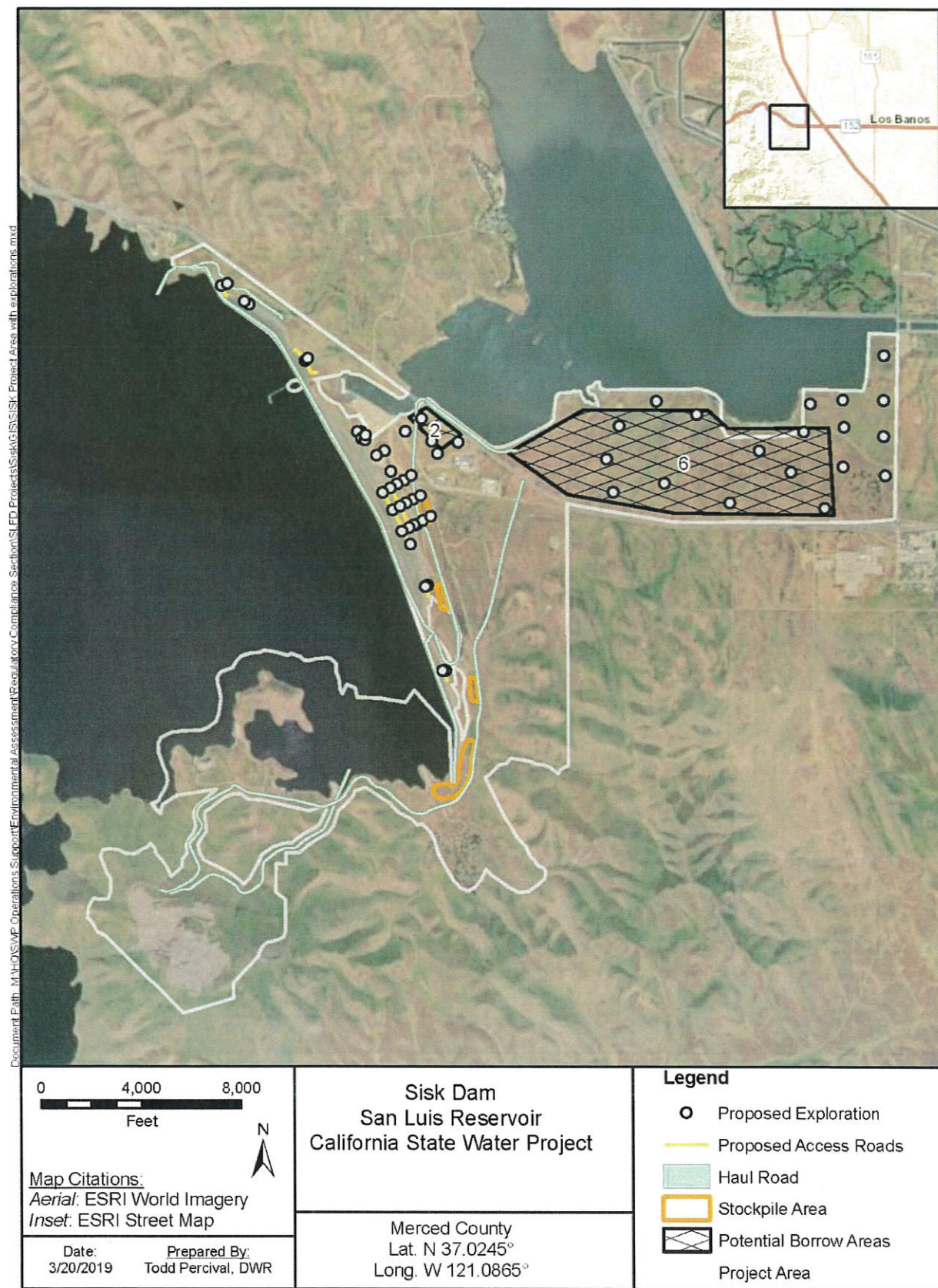


Figure 2. Project location map showing geotechnical exploration features.

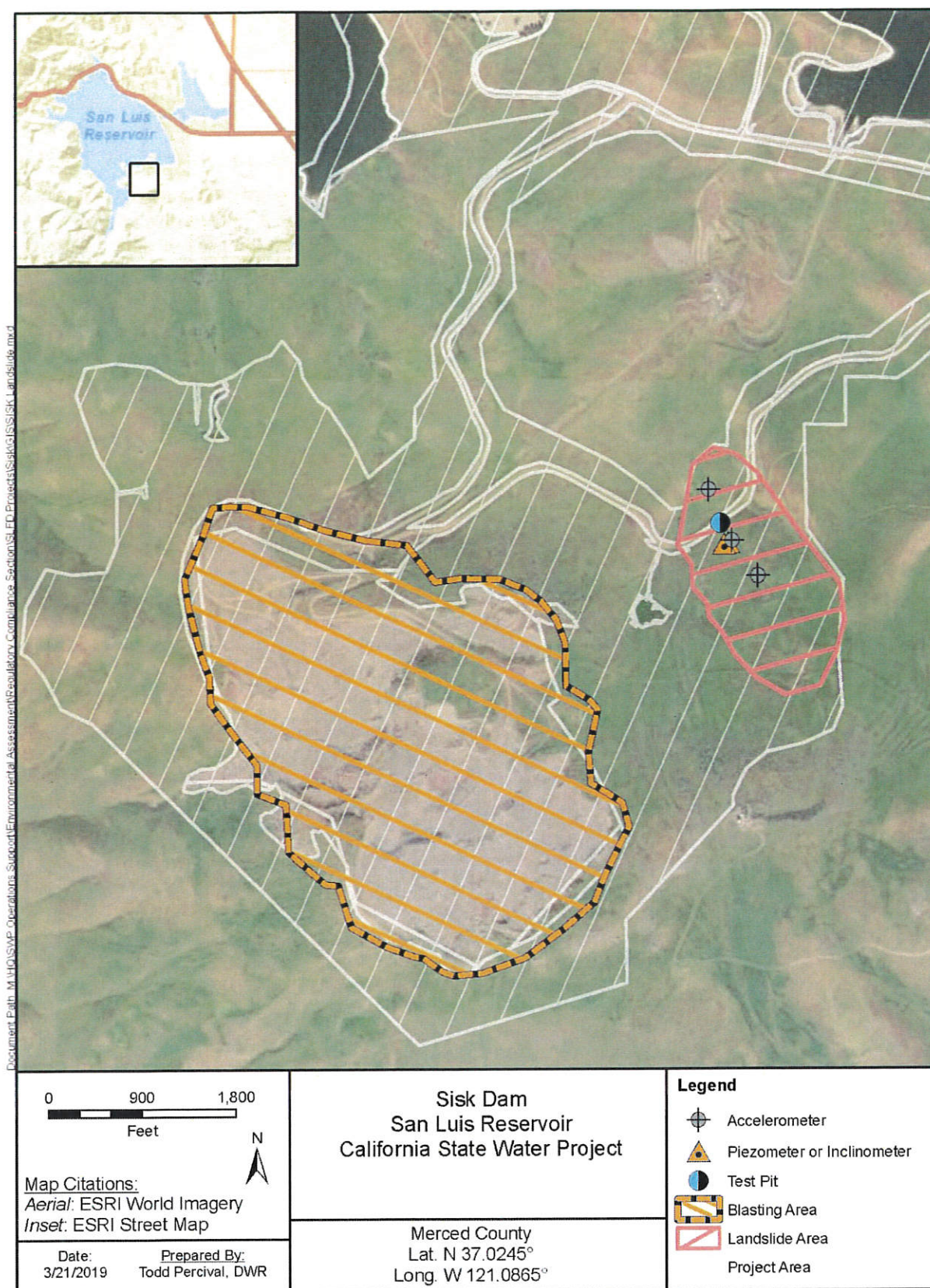


Figure 3. Blasting and Landslide Area features

Attachment 1

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
CALIFORNIA ENDANGERED SPECIES ACT**

INCIDENTAL TAKE PERMIT NO. 2081-2019-028-04

PERMITTEE: California Department of Water Resources

**PROJECT: B.F. Sisk Safety of Dams Geotechnical
Investigations Project**

PURPOSE OF THE MMRP

The purpose of this MMRP is to ensure that the impact minimization and mitigation measures required by the Department of Fish and Wildlife (CDFW) for the above-referenced Project are properly implemented, and thereby to ensure compliance with section 2081(b) of the Fish and Game Code and section 21081.6 of the Public Resources Code. A table summarizing the mitigation measures required by CDFW is attached. This table is a tool for use in monitoring and reporting on implementation of mitigation measures, but the descriptions in the table do not supersede the mitigation measures set forth in the California Incidental Take Permit (ITP) and in attachments to the ITP, and the omission of a permit requirement from the attached table does not relieve the Permittee of the obligation to ensure the requirement is performed.

OBLIGATIONS OF PERMITTEE

Mitigation measures must be implemented within the time periods indicated in the table that appears below. Permittee has the primary responsibility for monitoring compliance with all mitigation measures and for reporting to CDFW on the progress in implementing those measures. These monitoring and reporting requirements are set forth in the ITP itself and are summarized at the front of the attached table.

VERIFICATION OF COMPLIANCE, EFFECTIVENESS

CDFW may, at its sole discretion, verify compliance with any mitigation measure or independently assess the effectiveness of any mitigation measure.

TABLE OF MITIGATION MEASURES

The following items are identified for each mitigation measure: Mitigation Measure, Source, Implementation Schedule, Responsible Party, and Status/Date/Initials. The Mitigation Measure column summarizes the mitigation requirements of the ITP. The Source column identifies the ITP condition that sets forth the mitigation measure. The Implementation Schedule column shows the date or phase when each mitigation measure will be implemented. The Responsible Party column identifies the person or agency that is primarily responsible for implementing the mitigation measure. The Status/Date/Initials column shall be completed by the Permittee during preparation of each Status Report and the Final Mitigation Report, and must identify the implementation status of each mitigation measure, the date that status was determined, and the initials of the person determining the status.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
BEFORE DISTURBING SOIL OR VEGETATION					
1	<u>Designated Representative</u> . Before starting Covered Activities, Permittee shall designate a representative (Designated Representative) responsible for communications with CDFW and overseeing compliance with the ITP. Permittee shall notify CDFW in writing before starting Covered Activities of the Designated Representative's name, business address, and contact information, and shall notify CDFW in writing if a substitute Designated Representative is selected or identified at any time during the term of the ITP.	ITP Condition # 5.1	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
2	<u>Designated Biologist</u> . Permittee shall submit to CDFW in writing the name, qualifications, business address, and contact information of a biological monitor (Designated Biologist) at least 30 days before starting Covered Activities. Permittee shall ensure that the Designated Biologist is knowledgeable and experienced in the biology, natural history, collecting and handling of the Covered Species. The Designated Biologist shall be responsible for monitoring Covered Activities to help minimize and fully mitigate or avoid the incidental take of individual Covered Species and to minimize disturbance of Covered Species' habitat. Permittee shall obtain CDFW approval of the Designated Biologist in writing before starting Covered Activities and shall also obtain approval in advance in writing if the Designated Biologist must be changed.	ITP Condition # 5.2	Before commencing ground- or vegetation-disturbing activities	Permittee	
3	<u>Education Program</u> . Permittee shall conduct an education program for all persons employed or otherwise working in the Project Area before performing any work. The program shall consist of a presentation from the Designated Biologist that includes a discussion of the biology and general behavior of the Covered Species, information about the distribution and habitat needs of the Covered Species, sensitivity of the Covered Species to human activities, its status pursuant to CESA including legal protection, recovery efforts, penalties for violations and Project-specific protective measures described in the ITP. Permittee shall provide interpretation for non-English speaking workers, and the same instruction shall be provided to any new workers before they are authorized to perform work in the Project Area. Permittee shall prepare and distribute wallet-sized cards or a fact sheet handout containing this information for workers to carry in the Project Area. Upon completion of the program, employees shall sign a form stating they attended the program and understand all protection measures. This training shall be repeated at least once annually for long-term and/or permanent employees that will be conducting work in the Project Area.	ITP Condition # 5.4	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
4	<u>Trash Abatement</u> . Permittee shall initiate a trash abatement program before starting Covered Activities and shall continue the program for the duration of the Project. Permittee shall ensure that trash and food items are contained in animal-proof containers and removed at least once a week to avoid attracting opportunistic predators such as ravens, coyotes, and feral dogs.	ITP Condition # 5.6	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
5	<u>Dust Control</u> . Permittee shall implement dust control measures during Covered Activities to facilitate visibility for monitoring of the Covered Species by the Designated Biologist. Permittee shall keep the amount of water used to the minimum amount needed and shall not allow water to form puddles.	ITP Condition # 5.7	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
6	<u>Delineation of Work Area Boundaries.</u> Permittee shall clearly delineate the boundaries of the Work Area with fencing, stakes, or flags before starting Covered Activities. The Work Area is defined as a discrete zone along any part of the active phase of the Project Area where Covered Activities will occur. Permittee shall restrict all Covered Activities to within the fenced, staked, or flagged Work Area. Permittee shall maintain all fencing, stakes, and flags until the completion of Covered Activities in each Work Area. Wildlife exclusion fencing shall not be installed along lengthy linear Work Areas (e.g., access roadways) to prevent impacts to Covered Species dispersing through the area during migratory activities. The Work Area(s) are defined as the discrete zone(s) within the Project Area where Covered Activities will actively occur.	ITP Condition # 5.9	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
7	<u>Delineation of Habitat.</u> Permittee shall clearly delineate habitat of the Covered Species within the Project Area with posted signs, posting stakes, flags, and/or rope or cord, and place fencing as necessary to minimize the disturbance of Covered Species' habitat.	ITP Condition # 5.10	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
8	<u>Notification Before Commencement.</u> The Designated Representative shall notify CDFW five (5) calendar days before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities.	ITP Condition # 6.1	Before commencing ground- or vegetation-disturbing activities	Permittee	
9	<u>Habitat Management Land Acquisition.</u> CDFW has determined that permanent protection and perpetual management of compensatory habitat is necessary and required pursuant to CESA to fully mitigate Project-related impacts of the taking on the Covered Species that will result with implementation of the Covered Activities. This determination is based on factors including an assessment of the importance of the habitat in the Project Area, the extent to which the Covered Activities will impact the habitat, and CDFW's estimate of the acreage required to provide for adequate compensation. To meet this requirement, the Permittee shall purchase 4 acres of Covered Species credits from a CDFW-approved mitigation or conservation bank (Condition of Approval 8.1) The Permittee shall also restore on-site 4 acres of temporarily impacted Covered Species habitat pursuant to Condition of Approval 8.2 below.	ITP Condition # 8	Before commencing ground- or vegetation-disturbing activities (or within 18 months of issuance of the ITP if Security is provided)	Permittee	
10	<u>Covered Species Credits.</u> Permittee shall (1) purchase 4 acres of Covered Species credits from a CDFW-approved mitigation or conservation bank, and (2) provide CDFW with a copy of the mitigation or conservation credit certificate issued by the CDFW-approved mitigation or conservation banks. A copy of the credit certificate shall be kept at the Project site while conducting Covered Activities.	ITP Condition # 8.1	Before commencing ground- or vegetation-disturbing activities (or within 18 months of issuance of the ITP if Security is provided)	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
11	<u>Covered Species Mortality Reduction and Relocation Plan.</u> The Designated Biologist(s) shall prepare a Covered Species Mortality Reduction and Relocation Plan. It shall include, but not be limited to, a description (with maps) of the suitable breeding and upland habitat at and near the Project Area; the portion of the Project Area which represents suitable upland habitat for the Covered Species; a discussion of the survey, excavation, capture, handling, and relocation methods; identification of where the individuals will be relocated to; and identification of a wildlife rehabilitation center or veterinary facility. The Covered Species Mortality Reduction and Relocation Plan will be submitted to CDFW for approval prior to the beginning of the Covered Activities. Covered Activities within the delineated habitat portion (Condition of Approval 5.10) of the Project Area shall not proceed until the Covered Species Mortality Reduction and Relocation Plan is approved in writing by CDFW. Only the approved Designated Biologist(s) are authorized to capture and handle the Covered Species.	ITP Conditions # 6.5	Before commencing ground- or vegetation-disturbing activities (or within 18 months of issuance of the ITP if Security is provided)	Permittee	
12	<u>Pre-Activity Clearance Surveys.</u> The Designated Biologist(s) shall perform Pre-Activity Clearance Surveys for the Covered Species within a Work Area no more than 14 days prior to starting Covered Activities. These surveys shall provide 100 percent visual coverage of the Work Area and a 50-foot buffer zone. If the Covered Species is found, the Designated Biologist(s) shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan described in Condition of Approval 6.5. The Permittee shall provide the survey results to CDFW in a written report prior to the beginning of Covered Activities.	ITP Conditions # 7.1	Before commencing ground- or vegetation-disturbing activities (or within 18 months of issuance of the ITP if Security is provided)	Permittee	
13	<u>Flag Burrows.</u> The Designated Biologist(s) shall flag all potential small mammal burrows identified during the Pre-Activity Clearance Survey (Condition of Approval 7.1) within any Work Area and its 50-foot buffer associated with the Basalt Hill Quarry blasting activities, test pits, and/or grading activities not contained entirely within a pre-existing access road to alert work crews to their presence. After flagging is complete, the Designated Biologist(s) shall map all of the flagged burrows.	ITP Conditions # 7.2	Before commencing ground- or vegetation-disturbing activities (or within 18 months of issuance of the ITP if Security is provided)	Permittee	
14	<u>Small Mammal Burrow Surveys and Excavation.</u> The small mammal burrows flagged within the Work Area and burrows that cannot be completely avoided by equipment and vehicles within the 50-foot buffer per Condition of Approval 7.2 shall be fully excavated by the Designated Biologist(s). The Designated Biologist(s) shall relocate any live Covered Species discovered during burrow excavation in accordance with the CDFW-approved Covered Species Mortality Reduction and Relocation Plan required in Condition of Approval 6.5 above. Excavation shall occur no more than 14 days after the completion of the Pre-Activity Clearance Surveys as described in Condition of Approval 7.1 above. The Designated Biologist(s) shall include the locations of all mammal burrow excavations on the burrow map as required in Condition of Approval 7.2 above. The burrow map(s) shall be submitted with the Monthly Compliance Report in accordance with Condition of Approval 6.4.	ITP Conditions # 7.3	Before commencing ground- or vegetation-disturbing activities (or within 18 months of issuance of the ITP if Security is provided)	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
15	<u>Covered Species Exclusion Fencing.</u> After the clearance survey and Covered Species relocation efforts (Conditions of Approval 7.1, 7.2, and 7.3) are complete, Permittee shall install temporary exclusion fencing around the perimeter of Work Areas associated with the Basalt Hill Quarry, test pits, or be active for more than one day to prevent Covered Species from migrating into the Project Area. The Permittee shall submit the type of fencing material and design for CDFW written approval before exclusion fencing installation. The Permittee shall also avoid small mammal burrows to the maximum extent possible during the installation of the exclusion fencing. Alternatively, the Permittee can request in writing an exception to forgo installation of exclusion fencing if there is a compelling biological reason. CDFW will provide written approval of the exception to forgo fencing installation. Absent CDFW written concurrence, the Permittee shall install exclusion fencing around the Work Area perimeter in the manner approved by CDFW.	ITP Conditions # 7.4	Before commencing ground- or vegetation-disturbing activities (or within 18 months of issuance of the ITP if Security is provided)	Permittee	
16	<u>Exclusion Fencing Installation.</u> The Designated Biologist(s) shall accompany the exclusion fence construction crew to ensure that Covered Species are not killed or injured during fence installation. The exclusion fencing shall be supported sufficiently to maintain its integrity under all conditions such as wind and heavy rain for the duration of the Covered Activities. The Designated Biologist(s) shall check the exclusion fence at least once weekly and inform Permittee of necessary maintenance or repairs. Exclusion fence shall be removed immediately upon completion of Covered Activities.	ITP Conditions # 7.5	Before commencing ground- or vegetation-disturbing activities (or within 18 months of issuance of the ITP if Security is provided)	Permittee	
DURING CONSTRUCTION					
17	<u>Compliance Monitoring.</u> The Designated Biologist shall be on-site daily when Covered Activities occur. The Designated Biologist shall conduct compliance inspections to (1) minimize incidental take of the Covered Species; (2) prevent unlawful take of species; (3) check for compliance with all measures of the ITP; (4) check all exclusion zones; and (5) ensure that signs, stakes, and fencing are intact, and that Covered Activities are only occurring in the Project Area. The Designated Representative or Designated Biologist shall prepare daily written observation and inspection records summarizing: oversight activities and compliance inspections, observations of Covered Species and their sign, survey results, and monitoring activities required by the ITP. The Designated Biologist shall conduct compliance inspections a minimum of once per week during periods of inactivity and after clearing, grubbing, and grading are completed.	ITP Condition # 6.3	Entire Project	Permittee	
18	<u>Monthly Compliance Report.</u> The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in Condition of Approval 6.3 into a Monthly Compliance Report and submit it to CDFW along with a copy of the MMRP table with notes showing the current implementation status of each mitigation measure. Monthly Compliance Reports shall be submitted to the CDFW offices listed in the Notices section of this ITP and via e-mail to CDFW's Regional Representative, Regional Office, and Headquarters CESA Program. At the time of this ITP's approval, the CDFW Regional Representative is Jim Vang (Jim.Vang@wildlife.ca.gov), the CDFW Regional Office email is R4CESA@wildlife.ca.gov, and Headquarters CESA Program email is CESA@wildlife.ca.gov. CDFW may at any time increase the timing and number of compliance inspections and reports required under this provision depending upon the results of previous compliance inspections. If CDFW determines the reporting schedule must be changed, CDFW will notify Permittee in writing of the new reporting schedule.	ITP Condition # 6.4	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
19	<u>CNDDDB Observations</u> . The Designated Biologist shall submit all observations of Covered Species to CDFW's California Natural Diversity Database (CNDDDB) within 60 calendar days of the observation and the Designated Biologist shall include copies of the submitted forms with the next Monthly Compliance Report, whichever is submitted first relative to the observation.	ITP Condition # 6.6	Entire Project	Permittee	
20	<u>Notification of Non-compliance</u> . The Designated Representative shall immediately notify CDFW in writing if it determines that the Permittee is not in compliance with any Condition of Approval of the ITP, including but not limited to any actual or anticipated failure to implement measures within the time periods indicated in the ITP and/or this MMRP. The Designated Representative shall report any non-compliance with the ITP to CDFW within 24 hours.	ITP Condition # 6.2	Entire Project	Permittee	
21	<u>Construction Monitoring Notebook</u> . The Designated Biologist shall maintain a construction-monitoring notebook on-site throughout the construction period, which shall include a copy of the ITP with attachments and a list of signatures of all personnel who have successfully completed the education program. Permittee shall ensure a copy of the construction-monitoring notebook is available for review at the Project site upon request by CDFW.	ITP Condition # 5.5	Entire Project	Permittee	
22	<u>Erosion Control Materials</u> . Permittee shall prohibit use of erosion control materials potentially harmful to Covered Species and other species, such as monofilament netting (erosion control matting) or similar material, in potential Covered Species' habitat.	ITP Condition # 5.8	Entire Project	Permittee	
23	<u>Project Access</u> . Project-related personnel shall access the Project Area using existing routes, or routes identified in the Project Description, and shall not cross Covered Species' habitat outside of or en route to the Project Area. Permittee shall restrict Project-related vehicle traffic to established roads, staging, and parking areas. Permittee shall ensure that vehicle speeds do not exceed 20 miles per hour to avoid Covered Species on or traversing the roads. If Permittee determines construction of routes for travel are necessary outside of the Project Area, the Designated Representative shall contact CDFW for written approval before carrying out such an activity. CDFW may require an amendment to the ITP, among other reasons, if additional take of Covered Species will occur as a result of the Project modification.	ITP Condition # 5.11	Entire Project	Permittee	
24	<u>Staging Areas</u> . Permittee shall confine all Project-related parking, storage areas, laydown sites, equipment storage, and any other surface-disturbing activities to the Project Area using, to the extent possible, previously disturbed areas. Additionally, Permittee shall not use or cross Covered Species' habitat outside of the marked Project Area unless provided for as described in Condition of Approval 5.11 of this ITP.	ITP Condition # 5.12	Entire Project	Permittee	
25	<u>Hazardous Waste</u> . Permittee shall immediately stop and, pursuant to pertinent state and federal statutes and regulations, arrange for repair and clean up by qualified individuals of any fuel or hazardous waste leaks or spills at the time of occurrence, or as soon as it is safe to do so. Permittee shall exclude the storage and handling of hazardous materials from the Project Area and shall properly contain and dispose of any unused or leftover hazardous products off-site.	ITP Condition # 5.13	Entire Project	Permittee	
26	<u>CDFW Access</u> . Permittee shall provide CDFW staff with reasonable access to the Project and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in the ITP.	ITP Condition # 5.14	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
27	<u>Fieldwork Code of Practice.</u> To ensure that the Designated Biologist(s) does not convey disease between the Project Area and areas outside the Project Area, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force Fieldwork Code of Practice (see Attachment 2) shall be followed at all times. The Designated Biologist(s) may substitute a bleach solution (0.5 to 1.0 cup of bleach to 1.0 gallon of water) for the ethanol solution. The Designated Biologist(s) will ensure that all traces of the disinfectant are removed before entering the next aquatic habitat.	ITP Conditions #7.6	Entire Project	Permittee	
28	<u>Covered Species Observations.</u> All workers shall inform the Designated Biologist(s) if a Covered Species is seen within or near the Project Area. All work in the vicinity of the Covered Species, which could injure or kill the animal, shall cease immediately until the Covered Species moves from the Project Area of its own accord or is relocated by the Designated Biologist(s) in accordance with the CDFW-approved Covered Species Mortality Reduction and Relocation Plan specified in Condition of Approval 6.5 above.	ITP Condition # 7.7	Entire Project	Permittee	
29	<u>Open Excavation Inspection.</u> The Designated Biologist(s) shall inspect all open holes, sumps, and trenches within the Project Area at the beginning, middle, and end of each day for trapped Covered Species. To prevent inadvertent entrapment of Covered Species, all open trenches, holes, sumps, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope shall have an escape ramp of earth or a non-slip material with a less than 1:1 (45 degree) slope. The Designated Biologist(s) shall thoroughly inspect all trenches, holes, sumps, and other excavations for Covered Species (or other wildlife) before they are back-filled. If any worker discovers that Covered Species have become trapped, Permittee shall cease all Project-related activities in the vicinity and notify the Designated Biologist(s) immediately. Project workers and the Designated Biologist(s) shall provide the opportunity for the Covered Species to escape unimpeded out of the Work Area before allowing work to continue. Alternatively, if the Covered Species will not leave the Project Area unimpeded, the Designated Biologist(s) shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan described in Condition of Approval 6.5, after receiving approval from the CDFW Regional Representative. If, at any time, a Covered Species is found incidentally trapped in the Project Area, the Permittee shall contact CDFW's Regional Representative within one (1) working day of the incident.	ITP Condition # 7.8	Entire Project	Permittee	
30	<u>Rain Forecast.</u> The Designated Biologist(s) and Permittee shall monitor the National Weather Service 72-hour forecast for the Project Area if Covered Activities within Covered Species habitat are scheduled to occur from October 15 through January 15. If a 70 percent or greater chance of rainfall is predicted within 24 hours of Project activity, the Designated Biologist(s) shall survey the Project Area before Covered Activities begin each day rain is forecast in order to capture and relocate Covered Species that are discovered during the surveys. If precipitation begins during Covered Activities, the Designated Biologist(s) shall remain at the Project Area for the duration of the rain event in order for Covered Activities to continue. If rain exceeds ½ inch during a 24-hour period, all Covered Activities shall cease until it is no longer raining and no further rain is forecast. Covered Activities may continue during rainfall events within Work Areas that have been cleared of Covered Species and enclosed with Covered Species exclusion fencing, in accordance with Conditions of Approval 7.3 and 7.4 above.	ITP Condition # 7.9	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
31	<u>Equipment Inspection.</u> Workers shall inspect for Covered Species under vehicles and equipment before the vehicles and equipment are moved. If a Covered Species is discovered during inspection, the worker shall notify the Designated Biologist(s) and wait for the Covered Species to move unimpeded out of the Project Area. Alternatively, if the Covered Species will not leave the Project Area unimpeded, the Designated Biologist(s) shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan described in Condition of Approval 6.5, after receiving approval from the CDFW Regional Representative. If, at any time, a Covered Species is found in the Project Area, the Permittee shall contact CDFW's Regional Representative within one (1) working day of discovery.	ITP Condition # 7.10	Entire Project	Permittee	
32	<u>Materials Inspection.</u> Workers shall thoroughly inspect all construction pipe or similar material with a diameter of one (1) inch or greater that are stored for one or more overnight periods for Covered Species before the material is subsequently moved, buried, or capped. If, during inspection, a Covered Species is discovered inside a pipe or similar material, workers shall notify the Designated Biologist(s) and allow the animal to safely escape that section of the structure and allow it to move unimpeded out of the Project Area before allowing work to continue. Alternatively, if the Covered Species will not leave the Project Area unimpeded, the Designated Biologist(s) shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan described in Condition of Approval 6.5, after receiving approval from the CDFW Regional Representative. If, at any time, a Covered Species is found in the Project Area, the Permittee shall contact CDFW's Regional Representative within one (1) working day of discovery.	ITP Condition # 7.11	Entire Project	Permittee	
33	<u>Night Work.</u> All Covered Activities shall terminate 30 minutes before sunset and shall not resume until 30 minutes after sunrise except when night work is associated with an emergency response (defined by an imminent threat to life or significant property). Permittee shall ensure that all vehicle traffic necessary during nighttime hours associated with an emergency response shall be conducted with extra caution to minimize impacts to the Covered Species. Permittee shall use sunrise and sunset times established by the United States Naval Observatory Astronomical Applications Department for the geographic area where the Project is located.	ITP Condition # 7.12	Entire Project	Permittee	
34	<u>Stockpiles.</u> Permittee shall ensure that soil stockpiles are placed where soil shall not pass into potential Covered Species breeding pools; nor shall it pass into any "Waters of the State," in accordance with Fish and Game Code section 5650. Permittee shall appropriately protect/cover stockpiles to prevent soil erosion.	ITP Condition # 7.13	Entire Project	Permittee	
35	<u>Record of Handling and Covered Species Reporting.</u> All Covered Species captures, relocations, and observations by the Designated Biologist(s) shall include the following documented information: the date, time, and location of each occurrence using Global Positioning System technology; the name of the party that actually identified the animal; circumstances of the incident; the general condition and health of each individual; any diagnostic markings, sex, and age (juvenile or adult); actions undertaken; and habitat description. Permittee shall also submit this information to the CNDDDB as per Condition of Approval 6.6. This information should also be included in the Monthly Compliance Reports.	ITP Condition # 7.14	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
36	<u>Covered Species Injury</u> . If a Covered Species is injured as a result of Covered Activities, the Designated Biologist(s) shall immediately take it to a CDFW-approved wildlife rehabilitation or veterinary facility that routinely evaluates and treats amphibians. Permittee shall identify the facility in the CTS Mortality Reduction and Relocation Plan, prior to the start of Covered Activities. Permittee shall bear all costs associated with the care or treatment of such injured Covered Species. Permittee shall notify CDFW of the injury to the Covered Species immediately unless the incident occurs outside of normal business hours. In that event, CDFW shall be notified no later than the next business day. Notification to CDFW shall be via telephone or e-mail, followed by a written incident report as described in Condition of Approval 6.8. Notification shall include the date, time, location, and circumstances of the incident and the name of the facility where the animal was taken.	ITP Condition # 8.2	Entire Project	Permittee	
37	<u>Notification of Take or Injury</u> . Permittee shall immediately notify the Designated Biologist if a Covered Species is taken or injured by a Project-related activity, or if a Covered Species is otherwise found dead or injured within the vicinity of the Project. The Designated Biologist or Designated Representative shall provide initial notification to CDFW by calling the Regional Office at (559) 243-4005. The initial notification to CDFW shall include information regarding the location, species, and number of animals taken or injured and the ITP Number. Following initial notification, Permittee shall send CDFW a written report within two calendar days. The report shall include the date and time of the finding or incident, location of the animal or carcass, and if possible provide a photograph, explanation as to cause of take or injury, and any other pertinent information.	ITP Condition # 6.8	Entire Project	Permittee	
38	<u>Designated Biologist Authority</u> . To ensure compliance with the Conditions of Approval of the ITP, the Designated Biologist shall have authority to immediately stop any activity that does not comply with the ITP, and/or to order any reasonable measure to avoid the unauthorized take of an individual of the Covered Species.	ITP Condition # 5.3	Entire Project	CDFW	
39	<u>Habitat Restoration</u> . Permittee shall restore on-site the 4 acres of Covered Species habitat that will be temporarily disturbed during construction to pre-project or better conditions. Within two (2) months of issuance of the ITP, the Permittee shall prepare a Vegetation Restoration Plan to facilitate revegetation of the 4 acres of temporary construction disturbance on site and shall ensure that the Plan is successfully implemented by the contractor. The Plan shall include detailed specifications for restoring all temporarily disturbed areas, such as seed mixes and application methods. The plan shall also indicate the best time of year for seeding to occur.	ITP Conditions # 8.2	Entire Project	Permittee	
POST-CONSTRUCTION					
40	<u>Refuse Removal</u> . Upon completion of Covered Activities, Permittee shall remove from the Project Area and properly dispose of all temporary fill and construction refuse, including, but not limited to, broken equipment parts, wrapping material, cords, cables, wire, rope, strapping, twine, buckets, metal or plastic containers, and boxes.	ITP Condition # 5.15	Post-construction	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
41	<u>Final Mitigation Report</u> . No later than April 30, 2021, Permittee shall provide CDFW with a Final Mitigation Report. The Designated Biologist shall prepare the Final Mitigation Report which shall include, at a minimum: (1) a summary of all Monthly Compliance Reports; (2) a copy of the table in this MMRP with notes showing when each of the mitigation measures was implemented; (3) all available information about Project-related incidental take of the Covered Species; (4) information about other Project impacts on the Covered Species; (5) beginning and ending dates of Covered Activities; (6) an assessment of the effectiveness of the ITP's Conditions of Approval in minimizing and fully mitigating Project impacts of the taking on Covered Species; (7) recommendations on how mitigation measures might be changed to more effectively minimize take and mitigate the impacts of future projects on the Covered Species; (8) delineate and quantify the extent of all Project ground disturbance and features, including test locations, wells, access roads, and all other disturbance and features associated with the Project; and (9) any other pertinent information.	ITP Condition # 6.7	Post-construction and after completion of mitigation	Permittee	

Attachment 2

The Declining Amphibian Task Force Fieldwork Code of Practice

A code of practice, prepared by the Declining Amphibian Task Force (DAPTF) to provide guidelines for use by anyone conducting field work at amphibian breeding sites or in other aquatic habitats. Observations of diseased and parasite-infected amphibians are now being frequently reported from sites all over the world. This has given rise to concerns that releasing amphibians following a period of captivity, during which time they can pick up unapparent infections of novel disease agents, may cause an increased risk of mortality in wild populations. Amphibian pathogens and parasites can also be carried in a variety of ways between habitats on the hands, footwear, or equipment of fieldworkers, which can spread them to novel localities containing species which have had little or no prior contact with such pathogens or parasites. Such occurrences may be implicated in some instances where amphibian populations have declined. Therefore, it is vitally important for those involved in amphibian research (and other wetland/pond studies including those on fish, invertebrates and plants) to take steps to minimize the spread of disease and parasites between study sites.

1. Remove mud, snails, algae, and other debris from nets, traps, boots, vehicle tires and all other surfaces. Rinse cleaned items with sterilized (e.g. boiled or treated) water before leaving each study site.
2. Boots, nets, traps, etc., should then be scrubbed with 70% ethanol solution (or sodium hypochlorite 3 to 6%) and rinsed clean with sterilized water between study sites. Avoid cleaning equipment in the immediate vicinity of a pond or wetland.
3. In remote locations, clean all equipment as described above upon return to the lab or "base camp". Elsewhere, when washing machine facilities are available, remove nets from poles and wash with bleach on a "delicates" cycle, contained in a protective mesh laundry bag.
4. When working at sites with known or suspected disease problems, or when sampling populations of rare or isolates species, wear disposable gloves and change them between handling each animal. Dedicate sets of nets, boots, traps, and other equipment to each site being visited. Clean and store them separately and the end of each field day.
5. When amphibians are collected, ensure the separation of animals from different sites and take great care to avoid indirect contact between them (e.g. via handling, reuse of containers) or with other captive animals. Isolation from un-sterilized plants or soils which have been taken from other sites is also essential. Always use disinfected/disposable husbandry equipment.
6. Examine collected amphibians for the presence of diseases and parasites soon after capture. Prior to their release or the release of any progeny, amphibians should be quarantined for a period and thoroughly screened for the presence of any potential disease agents.
7. Used cleaning materials (liquids, etc.) should be disposed of safely and if necessary taken back to the lab for proper disposal. Used disposable gloves should be retained for safe disposal in sealed bags.