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California Department of Fish and Wildlife  
North Central Region/Region 2  
1701 Nimbus Road, Suite A  
Rancho Cordova, CA 95670

California Endangered Species Act  
Incidental Take Permit No. 2081-2020-002-02

**MAINTENANCE DREDGING IN THE GLENN-COLUSA IRRIGATION DISTRICT INTAKE CHANNEL**

**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 take<sup>1</sup> of any species of wildlife designated by the California Fish and Game Commission as an endangered, threatened, or candidate species.<sup>2</sup> 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).

<b>Permittee:</b>	<b>Glenn-Colusa Irrigation District</b>
<b>Principal Officer:</b>	<b>Thaddeus L. Bettner, General Manager</b>
<b>Contact Person:</b>	<b>Cynde Davis</b>
<b>Mailing Address:</b>	<b>P.O. Box 150 Willows, CA 995988</b>

**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 **December 31, 2031**.

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 7.6 of this ITP.

<sup>1</sup>Pursuant 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".])

<sup>2</sup>The 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 Maintenance Dredging in the Glenn-Colusa Irrigation District (GCID) Intake Channel (Project) is located within the boundaries of Glenn and Tehama Counties and covers approximately 17.3 acres from the mouth of Permittee's intake channel to the northern extent of Permittee's fish screen, as well as an additional 8.8 acres that is used for the dredge spoil stockpile area. The project occurs within the Foster Island USGS quadrangle. Latitude 39.790° North and Longitude 121.049° West.

**Project Description:**

The Project includes annual maintenance removal of accumulated silt, sand, gravel, river cobble, washed-in vegetation (including trees, tree limbs, brush and litter), and anthropogenic debris from the intake channel with use of mechanized equipment. The extent of dredging required in any given year will be based upon hydrographic surveys. The design invert grade for the typical cross sections would not exceed elevation 130 feet. Annual depositions of gravel vary from 10,000 to 120,000 cubic yards per season, depending upon flows in the Sacramento River and associated inflow into the intake channel.

Prior to annual maintenance activities, a fish guidance structure will be installed to prevent fish from entering the intake channel during work activities. An access roadway will be developed along the right bank of the intake channel by removing vegetation that impedes access rights from the northern extent of the GCID Fish Screen Facility northward to the mouth of the intake channel. When river flow conditions allow, dredging activities will begin by moving the dragline, excavator, dozer, and other support equipment, across a removable bridge onto Montgomery Island for access to the upper intake channel. This equipment will be used to excavate the gravel bars formed from winter depositions in the upstream portion of the inlet channel along the left bank of the intake channel. This initial excavation will be performed from the bank of the intake channel effectively removing material within the reach of the excavation equipment. The gravel spoils will be spread-out on the existing gravel bar adjacent to the intake channel along the right downstream bank of the Sacramento River.

Gravel accumulations on the right side of the intake channel that cannot be reached by dragline and excavator equipment, may be dredged using a 14" x 12" suction dredge with discharge piping onto Montgomery Island. Gravels discharged by the dredge will be deposited on the upland area of Montgomery Island (historically used for spoil deposition), where dredge spoil carriage water can percolate into the soils and not be allowed to drain directly into the Sacramento River. GCID may perform work in the 17-acre dredging area from the upstream portion of the inlet channel downstream to the upstream end of near the fish screen structure.

All dredging will be conducted between March 1 and July 1.

**Covered Species Subject to Take Authorization Provided by this ITP:**

This ITP covers the following species:

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Name	CESA Status
1. Chinook salmon – Sacramento River spring run ( <i>Oncorhynchus tshawytscha</i> )	Threatened <sup>3</sup>
2. Chinook salmon – Sacramento River winter run ( <i>Oncorhynchus tshawytscha</i> )	Endangered <sup>4</sup>

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

#### **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 dredging operations, excavation, and suction dredge operations (Covered Activities).

Incidental take of individuals of the Covered Species in the form of mortality (“kill”) may occur as a result of Covered Activities such as crushing, entombing, and/or stranding. The areas where authorized take of the Covered Species is expected to occur include: the 17 acres of open waters in the intake channel as shown in Figure 2 (collectively, the Project Area).

The Project is not expected to cause any permanent loss of habitat for the Covered Species. A temporal loss of Covered Species habitat will occur along the 17 acres of dredge area within the intake channel. Impacts of the authorized taking also include adverse impacts to the Covered Species related to temporal losses and the Project’s incremental contribution to cumulative impacts (indirect impacts). These impacts include: stress resulting from noise and vibrations and potential capture and relocation, and long-term effects due to increased pollution, displacement from preferred habitat, increased competition for food and space, and increased vulnerability to predation.

#### **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.

<sup>3</sup>See Cal. Code Regs. tit. 14 § 670.5, subd. (b)(2)(C).

<sup>4</sup> See Cal. Code Regs. tit. 14 § 670.5, subd. (a)(2)(M).

**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 for in-water work and staging, noise and vibration generating activities that may 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.: 1998100724) adopted by CDFW and Glenn-Colusa Irrigation District July 3, 1998, 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 the Lake and Streambed Alteration Agreement (LSAA) (Notification No. 1600-2017-0088-R2 for the Project executed by CDFW pursuant to Fish and Game Code section 1600 et seq.).
4. **ESA Compliance:** Permittee shall implement and adhere to the terms and conditions related to the Covered Species in the Hamilton City Pumping Plant (HCPP) Fish Screen Improvement Project Biological Opinion/Conference Opinion dated on March 25, 1998, and amended on January 10, 2000 and August 22, 2003, for the Project pursuant to the Federal Endangered Species Act (ESA). For purposes of this ITP, where the terms and conditions for the Covered Species in the federal authorization are less protective of the Covered Species or otherwise conflict with this ITP, the conditions of approval set forth in this ITP shall control.
5. **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.

**6. General Provisions:**

- 6.1. 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.



- 6.2. 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 10 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.
- 6.3. 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.
- 6.4. 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 each year when Covered Activities occur.
- 6.5. 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.
- 6.6. 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.

- 6.7. 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.
- 6.8. 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.
- 6.9. 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.
- 6.10. 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.
- 6.11. 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.
- 6.12. 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.
- 6.13. Refuse Removal. Upon completion of Covered Activities, Permittee shall remove from the Project Area and properly dispose of all 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.

- 6.14. Equipment Maintenance and Fueling. All equipment operated within the channel shall be checked and maintained daily to prevent leaks of materials that if introduced to the water could be deleterious to Covered Species. No equipment maintenance or fueling shall be done within or near any stream channel where petroleum products or other pollutants from the equipment may enter these areas unless the appropriate spill prevention measures are in place such as catch basins or drip pans, lined with an impermeable layer that has been placed under the equipment. When exchanging tanks over water or filling the vibratory extractor rig, drip pans shall be used. Fuel and other material stored on the barge shall be stored in a plastic tub to contain leaks or spills. Spill equipment such as booms, drip pans, and absorbent pads shall be on-site and be ready to deploy in case of spill.
- 6.15. Cleaning Equipment Prior to Entering Channel. All equipment that will be entering the active channel shall be cleaned of materials deleterious to aquatic life including oil, grease, hydraulic fluid, soil and other debris. Wash water containing mud or silt from washing or other operations shall not be allowed to enter the channel.
- 6.16. Prevention of Spread of Invasive Species. Permittee shall conduct Project activities in a manner that prevents the introduction, transfer, and spread of invasive species, including plants, animals, and microbes from one Project site and/or waterbody to another. Prevention Best Management Practices and guidelines for invasive plants can be found on the Cal-IPC's website at: <http://www.cal-ipc.org/ip/prevention/index.php> and for invasive mussels and aquatic species can be found at the Stop Aquatic Hitchhikers website: <http://www.protectyourwaters.net/>.
- 6.17. Spill Prevention Plan. A spill response plan shall be submitted to CDFW for approval in writing at least 7 days prior to the initiation of construction. Any equipment that will operate in the water or near the water shall be regularly inspected for wear, leaks, and/or malfunction. Hazardous material leaks and spills shall be attended to immediately as outlined in the Spill Prevention and Response Plan.
- 6.18. Fish Salvage. The Designated Biologist shall stop work if fish are stunned or otherwise directly impacted by Covered Activities. Work shall not resume until the fish clear the construction area.

## **7. Notification and Reporting Provisions:**

- 7.1. Notification Before Commencement. The Designated Representative shall notify CDFW as soon as possible but no later than 10 calendar days before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities.

- 7.2. 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.
- 7.3. Compliance Monitoring. The Designated Biologist shall be on-site daily when in-water work occurs. 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.
- 7.4. Annual Status Report. Permittee shall provide CDFW with an Annual Status Report (ASR) no later than August 31 of every year when Covered Activities occur beginning with issuance of this ITP and continuing until CDFW accepts the Final Mitigation Report identified below. Each ASR shall include, at a minimum: (1) the observation and inspection records identified in Condition of Approval 7.3; (2) a general description of the status of the Project Area and Covered Activities, including actual or projected completion dates, if known; (3) a copy of the table in the MMRP with notes showing the current implementation status of each mitigation measure; (4) an assessment of the effectiveness of each completed or partially completed mitigation measure in avoiding, minimizing and mitigating Project impacts; (5) all available information about Project-related incidental take of the Covered Species; and (6) information about other Project impacts on the Covered Species. 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 and Headquarters CESA Program at [CESA@wildlife.ca.gov](mailto:CESA@wildlife.ca.gov). At the time of this ITP's approval, the CDFW Regional Representative is [R2CESA@wildlife.ca.gov](mailto:R2CESA@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.
- 7.5. 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 ASR.



7.6. Final Mitigation Report. No later than 60 days after the last time Covered Activities authorized by this ITP occur, 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 ASRs; (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; and (8) any other pertinent information.

7.7. 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 CESA Desk at (916) 358-2930. 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.

## **8. 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:

8.1 Work Period. The work period within Covered Species habitat shall be between March 1 and July 1 when river flows are typically lower.

8.2 Work Period Modification. Permittee may request a work period variance from CDFW. The variance request shall explain the rationale for the variance and shall be submitted no less than 10 business days prior to the start of the proposed variance.

8.3 Fish Guidance Structure Plan. No later than 10 days prior to starting Covered Activities, Permittee shall submit to CDFW a Fish Guidance Structure Plan for review and approval. CDFW shall review the Plan and provide any comments to the Permittee within 10 days of receiving the plans. The Plan should include the final design plans and description of how the fish guidance structure will be installed and maintained.

Unless otherwise authorized by CDFW in writing, the Fish Guidance Structure shall be in place at a minimum 7 days before starting Covered Activities, during the implementation of Covered Activities through 7 days after Covered Activities are completed. Once approved, subsequent submittal and approval by CDFW would not be necessary unless the Plan is changed.

- 8.4 Deleterious turbidity. The Designated Biologist shall monitor that Covered Activities do not result in turbidity that is deleterious to fish. If project activities are found to constitute a threat to aquatic life, abatement procedures shall be initiated prior to continuing Covered Activities.

**9. Habitat Management Land Acquisition:**

Previous CESA authorizations issued for the Construction, Operation, and Maintenance of the Hamilton City Pumping Plant Fish Screen Improvement Project (California endangered Species Act Biological Opinion # 2090-1998-10-2) included the implementation of mitigation measures that fully mitigated the impacts to this ITP's Covered Species. Covered Activities in this ITP are part of the Operation and Maintenance of this facility described in previous authorizations. Thus, the impacts to the Covered Species is fully mitigated. Furthermore, this ITP includes additional measures that would further reduce the level of take expected in previous authorizations like the implementation of a fish guidance structure, implementation of a spill control plan, etc.

CDFW has determined that additional permanent protection and perpetual management of compensatory habitat is not necessary to fully mitigate Project-related impacts of the taking of 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.

**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, CA 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 subsequently provide the Permittee. Notices, reports, and other communications shall reference the Project name, Permittee, and ITP Number (2081-2020-002-02) in a cover letter and on any other associated documents.

Original cover with attachment(s) to:

Kevin Thomas, Regional Manager  
c/o CESA Desk  
California Department of Fish and Wildlife  
North Central Region  
1701 Nimbus Road, Suite A  
Rancho Cordova, CA 95670  
Telephone: (916) 358-2930  
Fax: (916) 358-2912

and a copy to:

Habitat Conservation Planning Branch

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GLENN COLUSA-IRRIGATION DISTRICT

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

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

CESA Desk  
California Department of Fish and Wildlife  
1701 Nimbus Road, Suite A  
Rancho Cordova, CA 95670  
Telephone: (916) 358-2930  
Fax: (916) 358-2912

**Compliance with CEQA:**

CDFW's issuance of this ITP is subject to CEQA. CDFW is a lead agency pursuant to CEQA with respect to this ITP. (See generally Pub. Resources Code, §§ 21067, 21069.) CDFW review of the Project is set forth in Hamilton City Pumping Plan Fish Screen Improvement Project Environmental Impact Report/Environmental Impact Assessment (EIR/EIS), (SCH No.: 1998100724) dated November 17, 1998, that CDFW adopted for the Project July 7, 1998. At the time the lead agency adopted the EIR/EIS and approved the Project it also adopted various mitigation measures for the Covered Species as conditions of Project approval.

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/EIS 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 in the EIR/EIS, and that adherence to and implementation of the Conditions of Approval imposed 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, Hamilton City Pumping Plan Fish Screen Improvement Project Environmental Impact Report/Environmental Impact Assessment, the biological opinions, the results of site visits and consultations, 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) Installation of fish guidance structures; (2) establishment of avoidance zones; (3) worker education; and (4) Annual 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, as well as the evaluation and compliance with previous CDFW permits issued for this Project (2090-1998-10-2) 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;
- (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) This ITP is consistent with any regulations adopted pursuant to Fish and Game Code sections 2112 and 2114;
- (7) 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
- (8) 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

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GLENN COLUSA-IRRIGATION DISTRICT

MAINTENANCE DREDGING IN THE GLENN-COLUSA IRRIGATION DISTRICT INTAKE CHANNEL

conditions of this ITP without concurrence of the Permittee as necessary to avoid jeopardy and as required by law.

**Attachments:**

FIGURE 1	Map of Project
FIGURE 2	Project Area
ATTACHMENT 1	Mitigation Monitoring and Reporting Program

**ISSUED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**

on 2/24/2020

  
\_\_\_\_\_  
Kevin Thomas, Regional Manager  
NORTH CENTRAL REGION

**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:  Date: February 26, 2020

Printed Name: Thaddeus L. Bettner Title: General Manager

\_\_\_\_\_  
Incidental Take Permit  
No. 2081-2020-002-02  
GLENN COLUSA-IRRIGATION DISTRICT  
MAINTENANCE DREDGING IN THE GLENN-COLUSA IRRIGATION DISTRICT INTAKE CHANNEL