



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



August 13, 2020

Mr. Eric Miller, Principal Civil Engineer
Marin County, Department of Public Works
3501 Civic Center Drive
San Rafael, CA 94903
EMiller@marincounty.org

Subject: Incidental Take Permit for Sir Francis Drake Boulevard Road Improvement
Project, 2081-2019-001-03, Marin County

Dear Mr. Miller:

Enclosed is the Incidental Take Permit for the above referenced project, which has been signed by the California Department of Fish and Wildlife (CDFW). Please read the permit carefully and sign the acknowledgement on the permit no later than 30 days from CDFW signature and prior to initiation of ground-disturbing activities. Alternatively, a signed hardcopy can be mailed to:

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

You are advised to keep a copy of the signed permit in a secure location and distribute copies to appropriate project staff responsible for ensuring compliance with the conditions of the permit. Note that you are required to comply with certain conditions of approval prior to continuation of ground-disturbing activities. Additionally, a copy of the permit must be maintained at the project work site and made available for inspection by CDFW staff when requested.

The permit will not take effect until the signed acknowledgement is received by CDFW. If you wish to discuss these instructions or have questions regarding the permit, please contact Ms. Amanda Culpepper, Environmental Scientist, at Amanda.Culpepper@wildlife.ca.gov; or Ms. Karen Weiss, Senior Environmental Scientist (Supervisory), at Karen.Weiss@wildlife.ca.gov.

Sincerely,

DocuSigned by:
A handwritten signature in black ink that reads "Gregg Erickson".
BE74D4C93C604EA...
Gregg Erickson
Regional Manager
Bay Delta Region

Conserving California's Wildlife Since 1870



**California Department of Fish and Wildlife
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534**

California Endangered Species Act
Incidental Take Permit No. 2081-2019-001-03

SIR FRANCIS DRAKE BOULEVARD ROAD IMPROVEMENT 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:	Marin County, Department of Public Works
Principal Officer:	Eric Miller, Principal Civil Engineer
Contact Person:	Eric Miller, (415) 473-6354
Mailing Address:	3501 Civic Center Drive San Rafael, CA 94903

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, 2025**.

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 5.9 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 Sir Francis Drake Boulevard Road Improvement Project (Project) is located within Point Reyes National Seashore on 12 miles of Sir Francis Drake Boulevard between Pierce Point Road and the Y-intersection of Chimney Rock Road and Lighthouse Road, in unincorporated Marin County (See Figure 1). The northern end of the Project is located approximately 2 miles west of Inverness at approximately 38.11055°, -122.88811°. The southern end of the Project is located approximately 1.5 miles east of Point Reyes Lighthouse at approximately 37.99833°, -122.99505°.

Project Description:

The Project includes the repair, improvement, realignment, and expansion of 12 miles of Sir Francis Drake Boulevard. Project activities include grubbing, grading, scraping, excavating, resurfacing, paving, complete and partial filling of roadside wetlands, trench digging, removing soil, replacing culverts, widening the road, pulverizing existing asphalt pavement, and other activities. The Project is anticipated to occur over two construction seasons with estimated completion in fall 2021.

Covered Species Subject to Take Authorization Provided by this ITP:

This ITP covers the following species:

Name	CESA Status
Point Reyes meadowfoam (<i>Limnanthes douglasii</i> ssp. <i>sulphurea</i>)	Endangered ³

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 grubbing, grading, scraping, excavating, removing soil, paving, complete and partial filling of roadside wetlands, trench digging, widening the road, replacing culverts, associated construction activities, and collection of Covered Species seed (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 filling of the Covered Species habitat during road expansion; removal of Covered Species during grubbing, scraping, and grading; paving over covered species seed bank during construction of paved ditches and roadway expansion;

³See Cal. Code Regs., tit. 14, § 670.2, subd. (a)(18)(B).

and trampling Covered Species while conducting Covered Activities. Incidental take of individuals of the Covered Species may also occur from the Covered Activities in the form of catch and capture of the Covered Species from seed collection specified in Condition of Approval 6.1. The areas where authorized take of the Covered Species is expected to occur are south of Point Reyes Beach South Road and include the following segments along Sir Francis Drake Boulevard: Stations 60+00 to 76+10, Stations 78+00 to 90+00, Stations 100+00 to 122+00, Stations 137+00 to 146+50 (collectively, the Project Area, see Figure 2 and 3).

The Project is expected to cause the permanent loss of 0.106 acres occupied habitat and 1.209 acres of suitable habitat for the Covered Species, and temporary loss of 0.056 acres of occupied habitat and 0.482 acres of suitable habitat for the Covered Species for a total of 1.853 acres of impact to Covered Species and Covered Species' habitat. Impacts of the authorized taking also include adverse impacts to the Covered Species related to temporal losses, increased habitat fragmentation and edge effects, and the Project's incremental contribution to cumulative impacts (indirect impacts). These impacts include: reduced seed bank for future regeneration, changes to suitable soil substrates, spread of non-native species leading to increased competition, and hydrologic drainage modifications.

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 seed collection 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 and staging and parking. 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

Incidental Take Permit
No. 2081-2019-001-03
MARIN COUNTY, DEPARTMENT OF PUBLIC WORKS
SIR FRANCIS DRAKE BOULEVARD ROAD IMPROVEMENT PROJECT

Assessment with Finding of No Significant Impact and Initial Study with Mitigated Negative Declaration (SCH No.: 2015072028) adopted by Marin County on September 15, 2015 as lead agency for the Project pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.).

- 3. 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.

4. General Provisions:

- 4.1 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.
- 4.2 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 5 days before starting Covered Activities. Permittee shall ensure that the Designated Biologist is knowledgeable and experienced in the biology, natural history, and collection 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.
- 4.3 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.
- 4.4 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

Incidental Take Permit
No. 2081-2019-001-03

MARIN COUNTY, DEPARTMENT OF PUBLIC WORKS
SIR FRANCIS DRAKE BOULEVARD ROAD IMPROVEMENT PROJECT

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.

- 4.5 Construction Monitoring Binder. The Designated Biologist shall maintain a construction-monitoring binder 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.
- 4.6 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.
- 4.7 Dust Control. Permittee shall implement dust control measures during Covered Activities to facilitate visibility for monitoring of compliance with this ITP 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.
- 4.8 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.
- 4.9 Delineation of Property Boundaries. Before starting Covered Activities along each part of the route in active construction, Permittee shall clearly delineate the boundaries of the Project Area with fencing, stakes, or flags. Permittee shall restrict all Covered Activities to within the fenced, staked, or flagged areas. Permittee shall maintain all fencing, stakes, and flags until the completion of Covered Activities in that area.
- 4.10 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.

Incidental Take Permit
No. 2081-2019-001-03

MARIN COUNTY, DEPARTMENT OF PUBLIC WORKS
SIR FRANCIS DRAKE BOULEVARD ROAD IMPROVEMENT PROJECT

- 4.11 Project Access. Project-related personnel shall access the Project Area using existing routes, 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. 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.
- 4.12 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 4.11 of this ITP.
- 4.13 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.
- 4.14 CDFW Access. Permittee shall provide CDFW staff with reasonable access to the Project and mitigation lands under Permittee control and access to National Park Service mitigation land with proper notification, and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in this ITP.
- 4.15 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.

5 Monitoring, Notification, and Reporting Provisions:

- 5.1 Geographic Information Systems Data Files. Before starting Covered Activities, the Permittee shall provide CDFW with separate Geographic Information Systems (GIS) data files for permanent habitat impact areas authorized under this ITP for the Covered Species, or confirm GIS files previously submitted to CDFW. The Permittee shall provide any additional GIS data files for the Project or related Covered Species features within 30 days of CDFW's request. All GIS data files shall be provided in a format acceptable to CDFW.

Incidental Take Permit
No. 2081-2019-001-03
MARIN COUNTY, DEPARTMENT OF PUBLIC WORKS
SIR FRANCIS DRAKE BOULEVARD ROAD IMPROVEMENT PROJECT

- 5.2 Notification Before Commencement. The Designated Representative shall notify CDFW at least 5 calendar days before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities.
- 5.3 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.
- 5.4 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, 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.
- 5.5 Reporting of Habitat Impacts. Permittee shall monitor, calculate, and record in an electronic ledger the total amount of permanent impacts to Covered Species habitat. Upon request, the Permittee shall provide a copy of the ledger to CDFW. If at any time Project impacts may exceed those authorized by this ITP, all Project activities shall immediately cease and CDFW shall be immediately notified. 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.
- 5.6 Quarterly Compliance Report. The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in Condition of Approval 5.4 into a Quarterly 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. Quarterly Compliance Reports shall be submitted to the CDFW offices listed in the Notices section of this ITP and/or via e-mail to CDFW's Regional Representative and Headquarters CESA Program. At the time of this ITP's approval, the CDFW Regional Representative is Amanda Culpepper (Amanda.Culpepper@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

Incidental Take Permit
No. 2081-2019-001-03

MARIN COUNTY, DEPARTMENT OF PUBLIC WORKS
SIR FRANCIS DRAKE BOULEVARD ROAD IMPROVEMENT PROJECT

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.

- 5.7 Annual Status Report. Permittee shall provide CDFW with an Annual Status Report (ASR) no later than January 31 of every year 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) a summary of all Quarterly Compliance Reports for that year identified in Condition of Approval 5.5; (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; (6) an accounting of the number of acres subject to both temporary and permanent disturbance, both for the prior calendar year, and a total since ITP issuance; and (7) information about other Project impacts on the Covered Species.
- 5.8 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 Quarterly Compliance Report or ASR, whichever is submitted first relative to the observation.
- 5.9 Final Mitigation Report. No later than 45 days after completion of all mitigation measures, 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 Quarterly Compliance Reports and 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 accounting of the number of acres subject to permanent disturbance (7) 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; (8) 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 (9) any other pertinent information.

6 Take Minimization Measures: The following requirements are intended to ensure the minimization of incidental take of Covered Species in the Project Area during Covered

Incidental Take Permit
No. 2081-2019-001-03

MARIN COUNTY, DEPARTMENT OF PUBLIC WORKS
SIR FRANCIS DRAKE BOULEVARD ROAD IMPROVEMENT PROJECT

Activities. Permittee shall implement and adhere to the following conditions to minimize take of Covered Species:

- 6.1 Collection of Soil and Seed. Permittee shall collect soil and seed of Covered Species prior to commencement of Covered Activities in all identified occupied habitat within the Project Area that will be filled or disturbed. The top two to six inches of topsoil shall be collected and safely stored for use to create and enhance Covered Species habitat at the CDFW-approved location(s) included in the Habitat Enhancement and Long Term Management Plan (Plan) (see Condition of Approval 7.2). Additional seed shall only be collected as an adaptive management effort as described in the Plan.
- 6.2 Soil Dispersal. The Permittee shall ensure all soil collected (see Condition of Approval 6.1) shall be dispersed within Habitat Mitigation lands approved by CDFW in the Habitat Enhancement and Long-Term Management Plan.
- 6.3 Dry Season Work Only. The Permittee shall ensure that ground disturbing activities involving construction and heavy equipment use (such as grading and excavating) is limited to the period from June 1 to October 15 (Dry Season).

If more time is needed to complete initial ground disturbing activities, the work period may be modified in writing on a week-by-week basis by a CDFW representative. Requests for a work period extension shall: 1) describe the extent of work already completed; 2) detail the activities that remain to be completed; 3) detail the time required to complete each of the remaining activities; 4) provide photographs of both the current work completed and the proposed site for continued work; and 5) include an assessment of additional biological impacts as a result of the work extension. An extension of the period may require an Amendment if additional impacts to Covered Species will occur.

- 6.4 Dry Weather Work Only. The Permittee or the Designated Biologist shall consult the 72-hour weather forecast from the National Weather Service (NWS) prior to the start of ground disturbing activities. Ground disturbing activities shall not begin unless a no precipitation forecast is obtained covering the entire Project Area and necessary erosion control measures are implemented. The Designated Biologist shall keep precipitation records on-site, and these records shall be subject to CDFW inspection.
 - 6.4.1 If a 40 percent or greater chance of rain is forecasted, Covered Activities shall cease within 24 hours of forecasted rain, all motorized equipment and fueling materials shall be removed from areas where runoff from these items can be reasonably foreseen to come into contact with Covered Species, and all associated erosion control measures shall be in place at least 12 hours prior to the onset of rain, unless otherwise approved by CDFW in writing. No Covered Activities shall occur during a rain event.

Incidental Take Permit
No. 2081-2019-001-03

MARIN COUNTY, DEPARTMENT OF PUBLIC WORKS
SIR FRANCIS DRAKE BOULEVARD ROAD IMPROVEMENT PROJECT

6.4.2 If Covered Activities are approved by CDFW as described above, the Designated Biologist shall survey the work area before construction begins each day rain is forecast. If runoff is imminent or present, Covered Activities shall cease.

6.4.3 Forty-eight hours after the rain ceases and once there is no rain in the 24-hour forecast and seasonal wetlands are dry, ground disturbing activities may continue.

6.5 Herbicides Prohibited. Permittee shall ensure that herbicides or other poisons used to control plants are not used within the Project Area unless otherwise approved in writing by CDFW.

6.6 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 (e.g., algae, fungi, parasites, bacteria, etc.), from one Project site and/or waterbody to another. All equipment including excavators, trucks, and hand tools that may have come in contact with invasive plants or the seeds of these plants will be carefully cleaned before arriving on the site and shall also be carefully cleaned before removal from the site to prevent dispersal. Prevention Best Management Practices (BMPs) and guidelines for invasive plants can be found on the California Invasive Plant Council's (Cal-IPC) 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: <https://stopaquatichitchhikers.org/>.

6.7 Refueling and Equipment Maintenance. Refueling of construction equipment and vehicles may not occur within 175 feet of any water body or anywhere that spilled fuel could drain to a wetland. Tarps or similar material shall be placed underneath construction equipment and vehicles, when refueling, to capture incidental spillage of fuels. Equipment and vehicles operating in the project area shall be checked and maintained daily to prevent leaks of fuels, lubricants, or other liquids.

6.8 Designated Areas for Stockpiling Materials. Permittee shall ensure that all construction materials placed in the Project Area are not placed in areas where impacts to Covered Species or their habitat may occur.

7 Habitat Creation, Enhancement and Management: CDFW has determined that habitat creation, restoration, enhancement and long term 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

Incidental Take Permit
No. 2081-2019-001-03

MARIN COUNTY, DEPARTMENT OF PUBLIC WORKS
SIR FRANCIS DRAKE BOULEVARD ROAD IMPROVEMENT PROJECT

will impact the habitat, and CDFW's estimate of the acreage required to provide for adequate compensation.

To meet this requirement, the Permittee shall create 0.324 acres of high density habitat on-site, 0.214 acres of low density habitat on-site, 0.77 acres of high density habitat off-site, and enhance 1.61 acres of habitat on-site, and manage the Habitat Management (HM) lands pursuant to Condition of Approval 7.1 and 7.2 below and the calculation and deposit of the management funds pursuant to Condition of Approval 7.4 below. Long term funding for monitoring and management of created and enhanced Covered Species habitat must be complete before starting Covered Activities, or within 18 months of the effective date of this ITP if Security is provided pursuant to Condition of Approval 8 below for all uncompleted obligations.

7.1 Cost Estimates. CDFW has estimated the cost of habitat creation, restoration, enhancement and management of Covered Species habitat and restoration of temporarily disturbed habitat as follows:

- 7.1.1 Habitat creation costs for permanent and temporary impacts to occupied and suitable Covered Species habitat through creating 1.308 acres of habitat, estimated at \$12,400.00. Permittee shall create on-site 0.324 acres of Covered Species high density habitat and 0.214 acres of Covered Species low density habitat to mitigate for habitat that will be permanently and temporarily lost during construction, to pre-project or better conditions. Permittee shall create off-site, at the Drake's Beach Parking Lot, 0.77 acres of Covered Species high density habitat. Creation activities shall conform to the Habitat Enhancement and Long-Term Management Plan approved by CDFW (Condition of Approval 7.2).
- 7.1.2 Habitat enhancement costs for 1.61 acres of suitable habitat estimated at \$3,200.00. Permittee shall enhance within the right of way on-site 1.61 acres of Covered Species habitat that will be permanently and temporarily lost during construction, to better conditions. Enhancement activities shall conform to the Habitat Enhancement and Long-Term Management Plan approved by CDFW (Condition of Approval 7.2).
- 7.1.3 Management funding as described in the Habitat Enhancement and Long-Term Management Plan (Condition of Approval 7.2), estimated at \$28,580.00. Management funding is estimated initially for the purpose of providing Security to ensure implementation of habitat creation, enhancement, monitoring and management.

7.2 Habitat Enhancement and Long-Term Management Plan. The Permittee shall prepare a Habitat Enhancement and Long-Term Management Plan (Plan) for CDFW review and acceptance within 60 days of finalizing this ITP. The Plan shall outline the

creation of 1.308 acres of occupied habitat and the enhancement of 1.61 acres of suitable habitat within the right of way and nearby on National Park Service land that is near Covered Species habitat within the same watershed as the Project site. The Plan shall include detailed specifications for enhancing and seeding all temporarily disturbed areas, five years of maintenance, and a minimum of ten years monitoring unless otherwise approved by CDFW. The Plan shall include a description of how all future management of the project area shall be conducted to enhance existing habitat:

7.2.1 Detailed Habitat Creation and Habitat Enhancement activities, including a map(s) to scale of all mitigation activities and Covered Species habitat; installation specifications; timing; soil collection and application; seed availability; seed mixes with species and seed densities and application methods; anticipated percent cover of Covered Species at created habitat sites; and non-native invasive species that are anticipated for removal at enhancement sites.

7.2.2 A 10-year Long-Term Management Plan to ensure the long-term viability of the on-site and off-site mitigation, which includes a description of how all future management of the habitat creation and enhancement will be conducted to enhance and maintain habitat for the benefit of the Covered Species. At a minimum, the Plan shall record annually: a) location of the Covered Species within the Project Area and within the mitigation areas, b) density of Covered Species and native plantings, c) dated photographs, d) sampling design and field methods, e) vegetation success compared to reference site, f) enhancement activities including non-native and invasive vegetation removal, and g) recommendations for on-going adaptive management to meet success criteria, including a seed collection and propagation plan with identified seed sites and collection methodologies for additional plantings.

7.3 Management Fund. The Permittee shall ensure that HM lands are managed, maintained, and monitored as described in this ITP. After obtaining CDFW approval of the Habitat Enhancement and Long-Term Management Plan, Permittee shall provide ten years of monitoring and management funding for activities outlined in the final accepted Plan consistent with Measure 7.2 above.

7.4 Reimburse CDFW. Permittee shall reimburse CDFW for all reasonable expenses incurred by CDFW such as transaction fees, account set-up fees, administrative fees, title and documentation review and related title transactions, expenses incurred from other state agency reviews, and overhead related to transfer of HM lands to CDFW.

8 Performance Security: The Permittee may proceed with Covered Activities only after the Permittee has ensured funding (Security) to complete any activity required by Condition of

Incidental Take Permit
No. 2081-2019-001-03

MARIN COUNTY, DEPARTMENT OF PUBLIC WORKS
SIR FRANCIS DRAKE BOULEVARD ROAD IMPROVEMENT PROJECT

Approval 7 that has not been completed before Covered Activities begin. Permittee shall provide Security as follows:

- 8.1 Security Amount. The Security shall be in the amount of **\$44,180.00**. This amount is based on the cost estimates identified in Condition of Approval 7.1 above.
- 8.2 Security Form. The Security shall be in the form of an irrevocable letter of credit (see Attachment 2) or another form of Security approved in advance in writing by CDFW's Office of the General Counsel.
- 8.3 Security Timeline. The Security shall be provided to CDFW before Covered Activities begin or within 30 days after the effective date of this ITP, whichever occurs first.
- 8.4 Security Holder. The Security shall be held by CDFW or in a manner approved in advance in writing by CDFW.
- 8.5 Security Transmittal. If CDFW holds the Security, Permittee shall transmit it to CDFW with a completed Mitigation Payment Transmittal Form (see Attachment 3) or by way of an approved instrument such as escrow, irrevocable letter of credit, or other.
- 8.6 Security Drawing. The Security shall allow CDFW to draw on the principal sum if CDFW, in its sole discretion, determines that the Permittee has failed to comply with the Conditions of Approval of this ITP.
- 8.7 Security Release. The Security (or any portion of the Security then remaining) shall be released to the Permittee after CDFW has conducted an on-site inspection and received confirmation that all secured requirements have been satisfied, as evidenced by:
 - Creation of 0.538 acres of Covered Species habitat on-site at \$5,400.
 - Creation of 0.77 acres of Covered Species habitat off-site at \$7,000.
 - Initial Enhancement of 1.61 acres of Covered Species habitat on-site. Cost at \$3,200 (\$2,000 per acre).
 - Long-Term Enhancement, Management, and Monitoring of all sites at \$28,580.
 - Timely submission of all required reports.

Even if Security is provided, the Permittee must complete the required creation and enhancement of all HM lands no later than 18 months from the effective date of this ITP. CDFW may require the Permittee to provide additional HM lands and/or additional funding to ensure the impacts of the taking are minimized and fully mitigated, as required by law, if the Permittee does not complete these requirements within the specified timeframe.

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

Alternatively, the Permittee shall email the digitally signed ITP to CESA@wildlife.ca.gov. Digital signatures shall comply with Government Code section 16.5.

Incidental Take Permit
No. 2081-2019-001-03
MARIN COUNTY, DEPARTMENT OF PUBLIC WORKS
SIR FRANCIS DRAKE BOULEVARD ROAD IMPROVEMENT PROJECT

Written notices, reports and other communications relating to this ITP shall be delivered to CDFW by email or 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 (2081-2019-001-03) in a cover letter and on any other associated documents.

Original cover with attachment(s) to:

Gregg Erickson, Regional Manager
California Department of Fish and Wildlife – Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
Telephone: (707) 428-2002
R3CESA@wildlife.ca.gov

and a copy to:

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

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

Amanda Culpepper, Environmental Scientist
California Department of Fish and Wildlife – Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
Telephone: (707) 428-2075
Amanda.Culpepper@wildlife.ca.gov

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, Marin County. (See generally Pub. Resources Code, §§ 21067, 21069). The lead agency's prior environmental review of the Project is set forth in the Environmental Assessment with Finding of No Significant Impact and Initial Study with Mitigated Negative Declaration, (SCH No.: 2015072028) dated August 31, 2018 that Marin County adopted for the Sir Francis Drake Boulevard Road Improvement Project on September 15, 2015. At the

Incidental Take Permit
No. 2081-2019-001-03
MARIN COUNTY, DEPARTMENT OF PUBLIC WORKS
SIR FRANCIS DRAKE BOULEVARD ROAD IMPROVEMENT PROJECT

time the lead agency adopted the Mitigated Negative Declaration 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 Mitigated Negative Declaration 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 and Game 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, Environmental Assessment with Finding of No Significant Impact and Initial Study with Mitigated Negative Declaration, Point Reyes National Seashore and North District of Golden Gate Park National Recreation Area General Management Plan Amendment Draft Environmental Impact Statement (August 2019), 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) permanent habitat protection; (2) establishment of avoidance zones; (3) worker education; and (4) Quarterly 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 management of 2.918 acres of habitat that is contiguous with other protected Covered Species habitat and/or is of higher quality

Incidental Take Permit
No. 2081-2019-001-03

MARIN COUNTY, DEPARTMENT OF PUBLIC WORKS
SIR FRANCIS DRAKE BOULEVARD ROAD IMPROVEMENT PROJECT

than the habitat being destroyed by the Project, 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) 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 Area Map
FIGURE 3	Project Impacts Map
ATTACHMENT 1	Mitigation Monitoring and Reporting Program
ATTACHMENT 2	Letter of Credit Form
ATTACHMENT 3	Mitigation Payment Transmittal Form

Incidental Take Permit
No. 2081-2019-001-03

MARIN COUNTY, DEPARTMENT OF PUBLIC WORKS
SIR FRANCIS DRAKE BOULEVARD ROAD IMPROVEMENT PROJECT

ISSUED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

on 8/13/2020.

DocuSigned by:

Gregg Erickson
BE74D4C93C604EA...

Gregg Erickson, Regional Manager
Bay Delta 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.

DocuSigned by:

Eric Miller

By: _____ Date: 8/14/2020

037904084762420...

Printed Name: Eric Miller Title: Principal Civil Engineer

Incidental Take Permit
No. 2081-2019-001-03

**MARIN COUNTY, DEPARTMENT OF PUBLIC WORKS
SIR FRANCIS DRAKE BOULEVARD ROAD IMPROVEMENT PROJECT**

Figure 1: Project Location



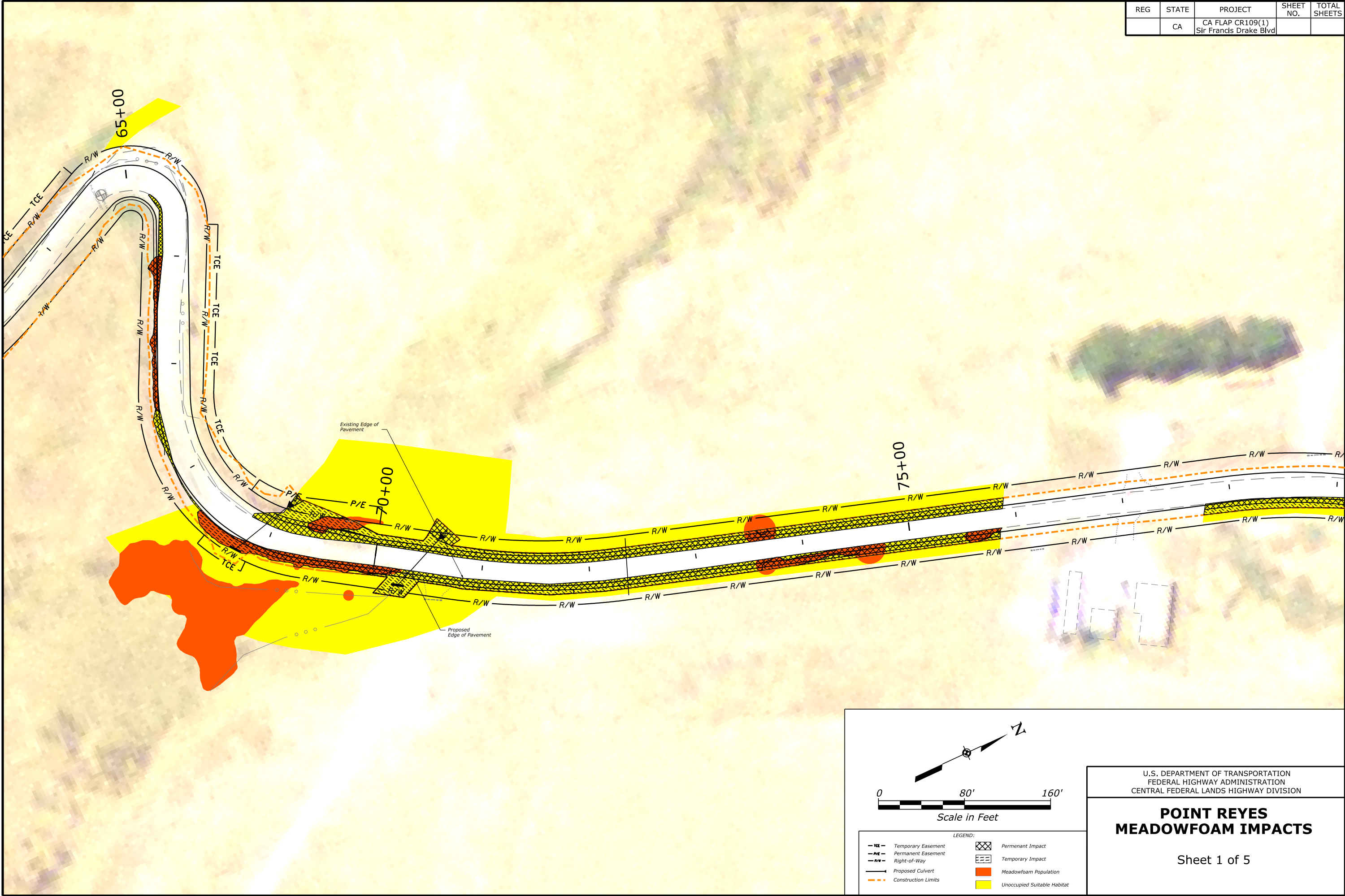
Figure 2 Project Area

Point Reyes meadowfoam (PRMF) is expected to occur between Stations 60+00 to 76+10, 78+00 to 90+00, 100+00 to 122+00, and 137+00 to 146+50



REG	STATE	PROJECT	SHEET NO.	TOTAL SHEETS
	CA	CA FLAP CR109(1) Sir Francis Drake Blvd		

\$\$\$\$\$DATE\$\$\$\$\$
\$TIMES\$
\$\$\$\$\$DGN\$\$\$\$\$
\$USER\$



0 80' 160'

Scale in Feet

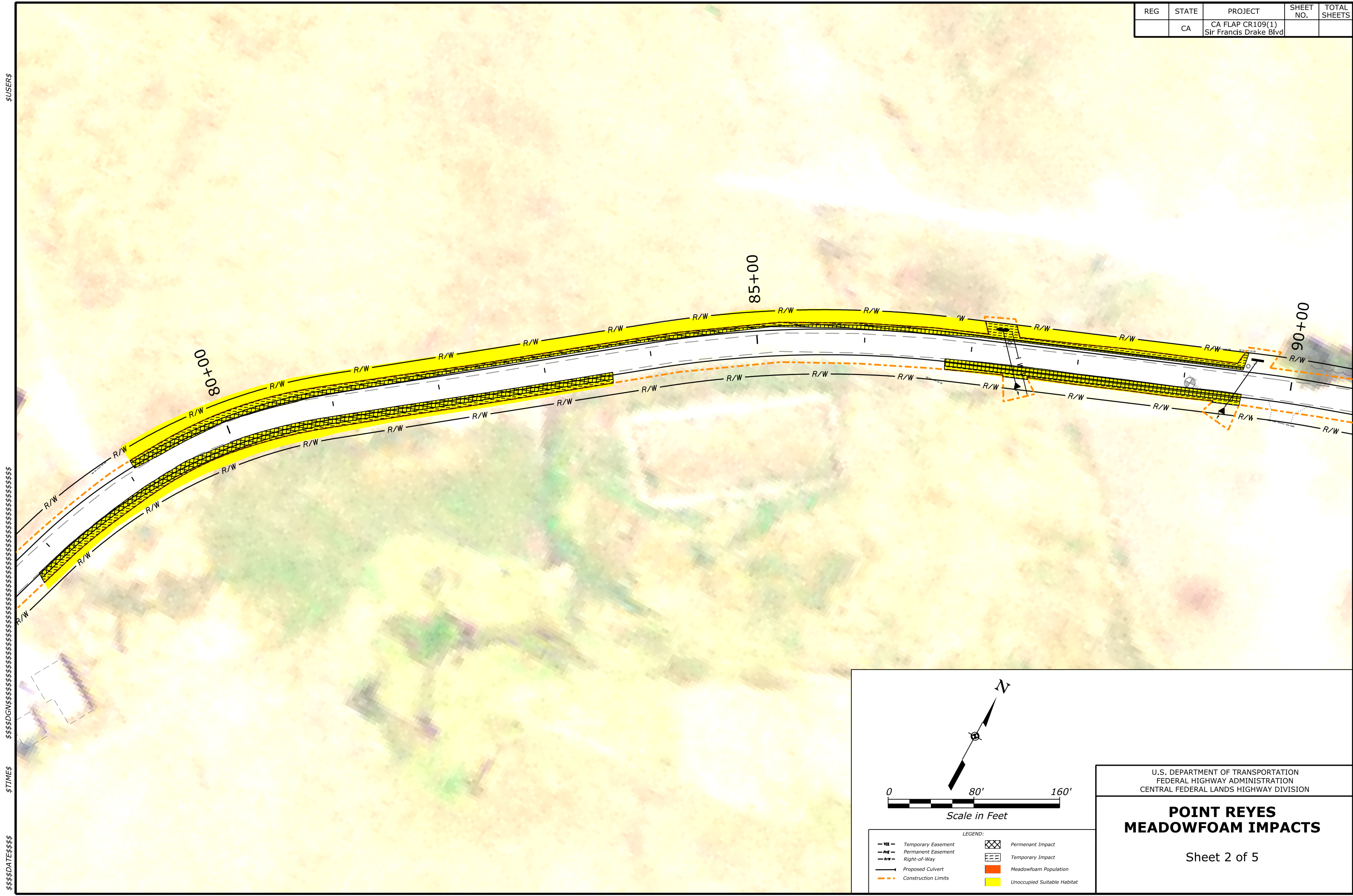
LEGEND:

Temporary Easement	Permanent Impact
Permanent Easement	Temporary Impact
Right-of-Way	Meadowfoam Population
Proposed Culvert	Unoccupied Suitable Habitat
Construction Limits	

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CENTRAL FEDERAL LANDS HIGHWAY DIVISION

**POINT REYES
MEADOWFOAM IMPACTS**

Sheet 1 of 5





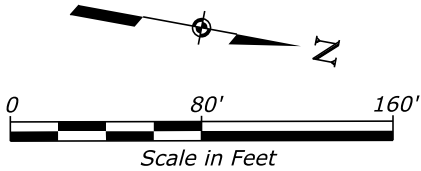
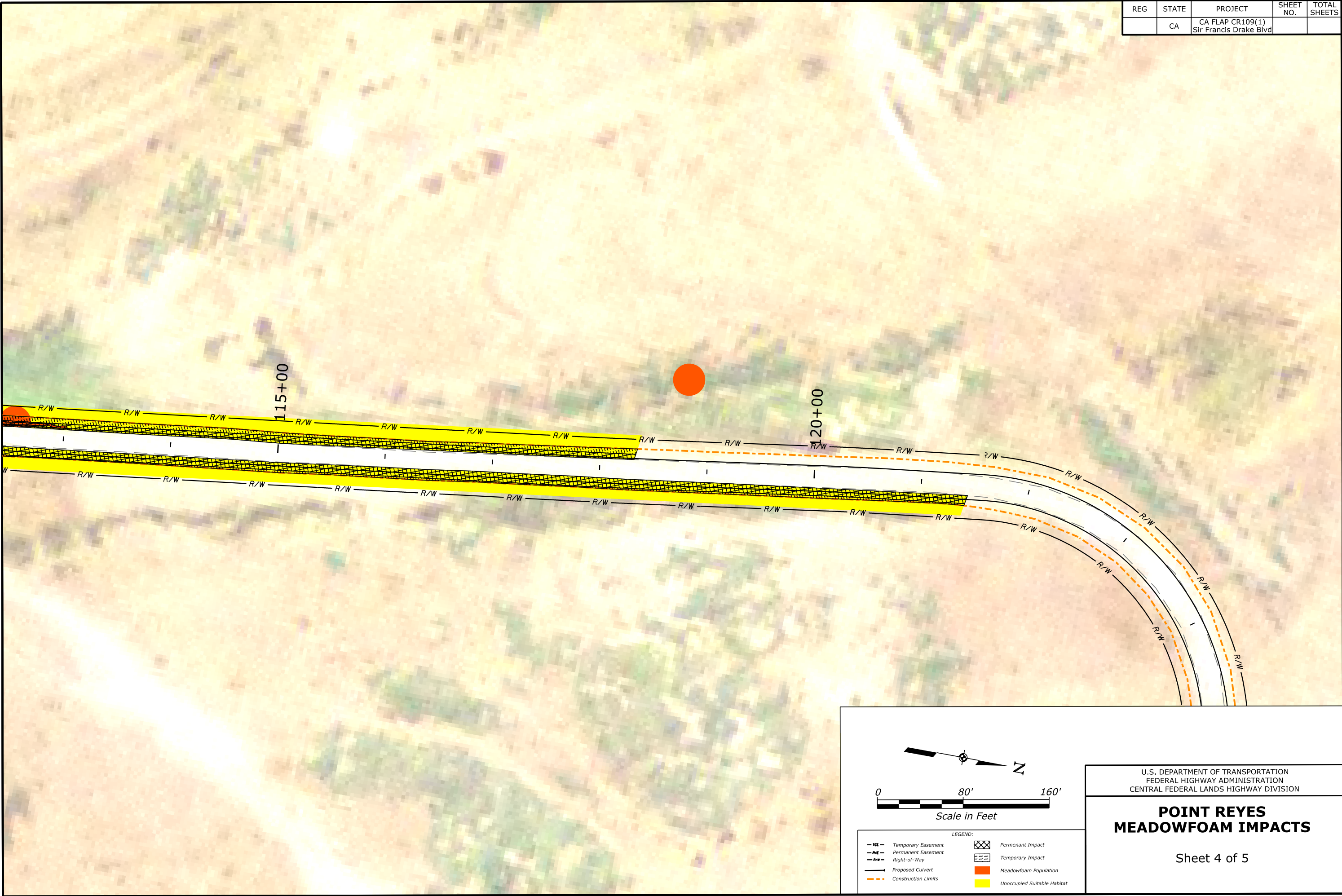
REG	STATE	PROJECT	SHEET NO.	TOTAL SHEETS
	CA	CA FLAP CR109(1) Sir Francis Drake Blvd		

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LEGEND:	
	Temporary Easement
	Permanent Easement
	Right-of-Way
	Proposed Culvert
	Construction Limits
	Permanent Impact
	Temporary Impact
	Meadowfoam Population
	Unoccupied Suitable Habitat

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CENTRAL FEDERAL LANDS HIGHWAY DIVISION

**POINT REYES
MEADOWFOAM IMPACTS**

Attachment 1**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
CALIFORNIA ENDANGERED SPECIES ACT****INCIDENTAL TAKE PERMIT NO. 2081-2019-001-03****PERMITTEE: Marin County, Department of Public Works****PROJECT: Sir Francis Drake Boulevard Road Improvement Project****PURPOSE OF THIS 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.

BEFORE DISTURBING SOIL OR VEGETATION

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
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.	ITP Condition # 4.1	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
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 5 days before starting Covered Activities. Permittee shall ensure that the Designated Biologist is knowledgeable and experienced in the biology, natural history, and collection 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 # 4.2	5 days before commencing ground- or vegetation-disturbing activities	Permittee	
3.	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.	ITP Condition # 4.4	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee and Designated Biologist	
4.	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.	ITP Condition # 4.6	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
5.	Delineation of Property Boundaries. Before starting Covered Activities along each part of the route in active construction, Permittee shall clearly delineate the boundaries of the Project Area with fencing, stakes, or flags. Permittee shall restrict all Covered Activities to within the fenced, staked, or flagged areas. Permittee shall maintain all fencing, stakes, and flags until the completion of Covered Activities in that area.	ITP Condition # 4.9	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
6.	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.	ITP Condition # 4.10	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
7.	CDFW Access. Permittee shall provide CDFW staff with reasonable access to the Project and mitigation lands under Permittee control and access to National Park Service mitigation land with proper notification, and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in this ITP.	ITP Condition # 4.14	Before commencing ground- or vegetation-disturbing activities / Entire Project / Post-Project	Permittee	
8.	Geographic Information Systems Data Files. Before starting Covered Activities, the Permittee shall provide CDFW with separate Geographic Information Systems (GIS) data files for permanent habitat impact areas authorized under this ITP for the Covered Species, or confirm GIS files previously submitted to CDFW. The Permittee shall provide any additional GIS data files for the Project or related Covered Species features within 30 days of CDFW's request. All GIS data files shall be provided in a format acceptable to CDFW.	ITP Condition # 5.1	Before commencing ground- or vegetation-disturbing activities	Permittee	
9.	Notification Before Commencement. The Designated Representative shall notify CDFW at least 5 calendar days before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities.	ITP Condition # 5.2	Before commencing ground- or vegetation-disturbing activities	Designated Representative	
10.	Collection of Soil and Seed. Permittee shall collect soil and seed of Covered Species prior to commencement of Covered Activities in all identified occupied habitat within the Project Area that will be filled or disturbed. The top two to six inches of topsoil shall be collected and safely stored for use to create and enhance Covered Species habitat at the CDFW-approved location(s) included in the Habitat Enhancement and Long Term Management Plan (Plan) (see Condition of Approval 7.2). Additional seed shall only be collected as an adaptive management effort as described in the Plan.	ITP Condition # 6.1	Before commencing ground- or vegetation-disturbing activities / Post-Project	Permittee	
11.	Reimburse CDFW. Permittee shall reimburse CDFW for all reasonable expenses incurred by CDFW such as transaction fees, account set-up fees, administrative fees, title and documentation review and related title transactions, expenses incurred from other state agency reviews, and overhead related to transfer of HM lands to 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	
12.	<p>Performance Security: The Permittee may proceed with Covered Activities only after the Permittee has ensured funding (Security) to complete any activity required by Condition of Approval 7 that has not been completed before Covered Activities begin. Permittee shall provide Security as follows:</p> <p>Security Amount. The Security shall be in the amount of \$44,180.00. This amount is based on the cost estimates identified in Condition of Approval 7.1 above.</p> <p>Security Form. The Security shall be in the form of an irrevocable letter of credit (see Attachment 2) or another form of Security approved in advance in writing by CDFW's Office of the General Counsel.</p> <p>Security Timeline. The Security shall be provided to CDFW before Covered Activities begin or within 30 days after the effective date of this ITP, whichever occurs first.</p> <p>Security Holder. The Security shall be held by CDFW or in a manner approved in advance in writing by CDFW.</p> <p>Security Transmittal. If CDFW holds the Security, Permittee shall transmit it to CDFW with a completed Mitigation Payment Transmittal Form (see Attachment 3) or by way of an approved instrument such as escrow, irrevocable letter of credit, or other.</p>	ITP Condition # 8	Before commencing ground- or vegetation-disturbing activities	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
	<p>Security Drawing. The Security shall allow CDFW to draw on the principal sum if CDFW, in its sole discretion, determines that the Permittee has failed to comply with the Conditions of Approval of this ITP.</p> <p>Security Release. The Security (or any portion of the Security then remaining) shall be released to the Permittee after CDFW has conducted an on-site inspection and received confirmation that all secured requirements have been satisfied, as evidenced by:</p> <p>Creation of 0.538 acres of Covered Species habitat on-site at \$5,400.</p> <p>Creation of 0.77 acres of Covered Species habitat off-site at \$7,000.</p> <p>Initial Enhancement of 1.61 acres of Covered Species habitat on-site. Cost at \$3,200 (\$2,000 per acre).</p> <p>Long-Term Enhancement, Management, and Monitoring of all sites at \$28,580.</p> <p>Timely submission of all required reports.</p> <p>Even if Security is provided, the Permittee must complete the required creation and enhancement of all HM lands no later than 18 months from the effective date of this ITP. CDFW may require the Permittee to provide additional HM lands and/or additional funding to ensure the impacts of the taking are minimized and fully mitigated, as required by law, if the Permittee does not complete these requirements within the specified timeframe.</p>				

DURING CONSTRUCTION

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
13.	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.	ITP Condition # 4.3	Entire Project	Permittee, Designated Biologist	
14.	Construction Monitoring Binder. The Designated Biologist shall maintain a construction-monitoring binder 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.	ITP Condition # 4.5	Entire Project	Designated Biologist	
15.	Dust Control. Permittee shall implement dust control measures during Covered Activities to facilitate visibility for monitoring of compliance with this ITP 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 # 4.7	Entire Project	Permittee	
16.	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.	ITP Condition # 4.8	Entire Project	Permittee	
17.	Project Access. Project-related personnel shall access the Project Area using existing routes, 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. 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	ITP Condition # 4.11	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
	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.				
18.	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 4.11 of this ITP.	ITP Condition # 4.12	Entire Project	Permittee	
19.	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.	ITP Condition # 4.13	Entire Project	Permittee	
20.	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.	ITP Condition # 5.3	Entire Project	Designated Representative	
21.	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, 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.	ITP Condition # 5.4	Entire Project	Designated Biologist	
22.	Reporting of Habitat Impacts. Permittee shall monitor, calculate, and record in an electronic ledger the total amount of permanent impacts to Covered Species habitat. Upon request, the Permittee shall provide a copy of the ledger to CDFW. If at any time Project impacts may exceed those authorized by this ITP, all Project activities shall immediately cease and CDFW shall be immediately notified. 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.	ITP Condition # 5.5	Entire Project	Permittee	
23.	Quarterly Compliance Report. The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in Condition of Approval 5.4 into a Quarterly 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. Quarterly Compliance Reports shall be submitted to the CDFW offices listed in the Notices section of this ITP and/or via e-mail to CDFW's Regional Representative and Headquarters CESA Program. At the time of this ITP's approval, the CDFW Regional Representative is Amanda Culpepper (Amanda.Culpepper@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 #5.6	Quarterly	Designated Representative or Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
24.	Annual Status Report. Permittee shall provide CDFW with an Annual Status Report (ASR) no later than January 31 of every year 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) a summary of all Quarterly Compliance Reports for that year identified in Condition of Approval 5.5; (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; (6) an accounting of the number of acres subject to both temporary and permanent disturbance, both for the prior calendar year, and a total since ITP issuance; and (7) information about other Project impacts on the Covered Species.	ITP Condition # 5.7	Entire Project	Permittee	
25.	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 Quarterly Compliance Report or ASR, whichever is submitted first relative to the observation.	ITP Condition # 5.8	Entire Project	Designated Biologist	
26.	Dry Season Work Only. The Permittee shall ensure that ground disturbing activities involving construction and heavy equipment use (such as grading and excavating) is limited to the period from June 1 to October 15 (Dry Season). If more time is needed to complete initial ground disturbing activities, the work period may be modified in writing on a week-by-week basis by a CDFW representative. Requests for a work period extension shall: 1) describe the extent of work already completed; 2) detail the activities that remain to be completed; 3) detail the time required to complete each of the remaining activities; 4) provide photographs of both the current work completed and the proposed site for continued work; and 5) include an assessment of additional biological impacts as a result of the work extension. An extension of the period may require an Amendment if additional impacts to Covered Species will occur.	ITP Condition # 6.3	Entire Project	Permittee	
27.	Dry Weather Work Only. The Permittee or the Designated Biologist shall consult the 72-hour weather forecast from the National Weather Service (NWS) prior to the start of ground disturbing activities. Ground disturbing activities shall not begin unless a no precipitation forecast is obtained covering the entire Project Area and necessary erosion control measures are implemented. The Designated Biologist shall keep precipitation records on-site, and these records shall be subject to CDFW inspection. If a 40 percent or greater chance of rain is forecasted, Covered Activities shall cease within 24 hours of forecasted rain, all motorized equipment and fueling materials shall be removed from areas where runoff from these items can be reasonably foreseen to come into contact with Covered Species, and all associated erosion control measures shall be in place at least 12 hours prior to the onset of rain, unless otherwise approved by CDFW in writing. No Covered Activities shall occur during a rain event. If Covered Activities are approved by CDFW as described above, the Designated Biologist shall survey the work area before construction begins each day rain is forecast. If runoff is imminent or present, Covered Activities shall cease.	ITP Condition # 6.4	Entire Project	Permittee or Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
	Forty-eight hours after the rain ceases and once there is no rain in the 24-hour forecast and seasonal wetlands are dry, ground disturbing activities may continue.				
28.	Herbicides Prohibited. Permittee shall ensure that herbicides or other poisons used to control plants are not used within the Project Area unless otherwise approved in writing by CDFW.	ITP Condition # 6.5	Entire Project	Permittee	
29.	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 (e.g., algae, fungi, parasites, bacteria, etc.), from one Project site and/or waterbody to another. All equipment including excavators, trucks, and hand tools that may have come in contact with invasive plants or the seeds of these plants will be carefully cleaned before arriving on the site and shall also be carefully cleaned before removal from the site to prevent dispersal. Prevention Best Management Practices (BMPs) and guidelines for invasive plants can be found on the California Invasive Plant Council's (Cal-IPC) 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: https://stopaquaticchitchhikers.org/ .	ITP Condition # 6.6	Entire Project	Permittee	
30.	Refueling and Equipment Maintenance. Refueling of construction equipment and vehicles may not occur within 175 feet of any water body or anywhere that spilled fuel could drain to a wetland. Tarps or similar material shall be placed underneath construction equipment and vehicles, when refueling, to capture incidental spillage of fuels. Equipment and vehicles operating in the project area shall be checked and maintained daily to prevent leaks of fuels, lubricants, or other liquids.	ITP Condition # 6.7	Entire Project	Permittee	
31.	Designated Areas for Stockpiling Materials. Permittee shall ensure that all construction materials placed in the Project Area are not placed in areas where impacts to Covered Species or their habitat may occur.	ITP Condition # 6.8	Entire Project	Permittee	
32.	Habitat Enhancement and Long-Term Management Plan. The Permittee shall prepare a Habitat Enhancement and Long-Term Management Plan (Plan) for CDFW review and acceptance within 60 days of finalizing this ITP. The Plan shall outline the creation of 1.308 acres of occupied habitat and the enhancement of 1.61 acres of suitable habitat within the right of way and nearby on National Park Service land that is near Covered Species habitat within the same watershed as the Project site. The Plan shall include detailed specifications for enhancing and seeding all temporarily disturbed areas, five years of maintenance, and a minimum of ten years monitoring unless otherwise approved by CDFW. The Plan shall include a description of how all future management of the project area shall be conducted to enhance existing habitat: Detailed Habitat Creation and Habitat Enhancement activities, including a map(s) to scale of all mitigation activities and Covered Species habitat; installation specifications; timing; soil collection and application; seed availability; seed mixes with species and seed densities and application methods; anticipated percent cover of Covered Species at created habitat sites; and non-native invasive species that are anticipated for removal at enhancement sites. A 10-year Long-Term Management Plan to ensure the long-term viability of the on-site and off-site mitigation, which includes a description of how all future management of the habitat creation and enhancement will be conducted to enhance and maintain habitat for the benefit of the Covered Species. At a minimum, the Plan shall record annually: a) location of the Covered Species within the Project Area and within the mitigation areas, b) density of Covered Species and native plantings, c) dated photographs, d) sampling design and field methods, e) vegetation success compared to reference site, f) enhancement activities including non-native and invasive	ITP Condition # 7.2	Within 60 days of Finalizing the ITP	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
	vegetation removal, and g) recommendations for on-going adaptive management to meet success criteria, including a seed collection and propagation plan with identified seed sites and collection methodologies for additional plantings.				

POST- CONSTRUCTION

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
33.	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.	ITP Condition # 4.15	Post-construction	Permittee	
34.	Final Mitigation Report. No later than 45 days after completion of all mitigation measures, 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 Quarterly Compliance Reports and 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 accounting of the number of acres subject to permanent disturbance (7) 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; (8) 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 (9) any other pertinent information.	ITP Condition # 5.9	Post-construction and after completion of mitigation	Permittee	
35.	Soil Dispersal. The Permittee shall ensure all soil collected (see Condition of Approval 6.1) shall be dispersed within Habitat Mitigation lands approved by CDFW in the Habitat Enhancement and Long-Term Management Plan.	ITP Condition # 6.2	Post-Construction during mitigation activities	Permittee	
36.	Management Fund. The Permittee shall ensure that HM lands are managed, maintained, and monitored as described in this ITP. After obtaining CDFW approval of the Habitat Enhancement and Long-Term Management Plan, Permittee shall provide ten years of monitoring and management funding for activities outlined in the final accepted Plan consistent with Measure 7.2 above.	ITP Condition # 7.3	Post-Construction	Permittee	
37.	CDFW accepts the Final Mitigation Report as complete.	ITP Condition # 5.9	Post-construction	CDFW	

[Financial institution letterhead]

IRREVOCABLE STANDBY LETTER OF CREDIT
NO. **[number issued by financial institution]**

Issue Date: **[date]**

Beneficiary:

California Department of Fish and Wildlife
Habitat Conservation Planning Branch
Post Office Box 944209
Sacramento, CA 94244-2090
Attn: HCPB Contract Coordinator

Amount: U.S. \$**[dollar number]** **[(dollar amount)]**

Expiry: **[Date]** at our counters

Dear Sirs:

1. At the request and on the instruction of our customer, **[name of applicant]** ("Applicant"), we, **[name of financial institution]** ("Issuer"), hereby establish in favor of the beneficiary, the California Department of Fish and Wildlife ("CDFW"), this irrevocable standby letter of credit ("Credit") in the principal sum of U.S. \$**[dollar number]** **[(dollar amount)]** ("Principal Sum").
2. We are informed this Credit is and has been established for the benefit of CDFW pursuant to the terms of the incidental take permit for the **[name of project]** issued by CDFW to the Applicant on **[date]** (No. **[number]**) ("Permit").
3. We are further informed that pursuant to the Permit, the Applicant has agreed to complete certain mitigation requirements, as set forth in Conditions **[numbers]** in the Permit ("Mitigation Requirements").
4. We are finally informed that this Credit is intended by CDFW and the Applicant to serve as a security device for the performance by the Applicant of the Mitigation Requirements.
5. CDFW shall be entitled to draw upon this Credit only by presentation of a duly executed Certificate for Drawing ("Certificate") in the same form as Attachment A,

which is attached hereto, at our office located at [***name and address of financial institution***].

6. The Certificate shall be completed and signed by an “Authorized Representative” of CDFW as defined in paragraph 12 below. Presentation by CDFW of a completed Certificate may be made in person or by registered mail, return receipt requested, or by overnight courier.
7. Upon presentation of a duly executed Certificate as above provided, payment shall be made to CDFW, or to the account of CDFW, in immediately available funds, as CDFW shall specify.
8. If a demand for payment does not conform to the terms and conditions of this Credit, we shall give CDFW prompt notice that the demand for payment was not effected in accordance with the terms and conditions of this Credit, state the reasons therefore, and await further instruction.
9. Upon being notified that the demand for payment was not effected in conformity with the Credit, CDFW may correct any such non-conforming demand for payment under the terms and conditions stated herein.
10. All drawings under this Credit shall be paid with our funds. Each drawing honored by us hereunder shall reduce, *pro tanto*, the Principal Sum. By paying to CDFW an amount demanded in accordance herewith, we make no representations as to the correctness of the amount demanded.
11. This Credit will be cancelled upon receipt by us of Certificate of Cancellation/Reduction, which: (i) shall be in the form of Attachment B, which is attached hereto, and (ii) shall be completed and signed by an Authorized Representative of CDFW, as defined in paragraph 12 below.
12. An “Authorized Representative” shall mean the Director of CDFW; the General Counsel of CDFW; a Regional Manager of CDFW; or the Branch Chief of CDFW’s Habitat Conservation Planning Branch.
13. This Credit shall be automatically extended without amendment for additional periods of one year from the present or any future expiration date hereof, unless at least sixty (60) days prior to any such date, we notify CDFW in writing by registered mail, return receipt requested, or by overnight courier that we elect not to consider this Credit extended for any such period.
14. Communications with respect to this Credit shall be in writing and addressed to us at [***name and address of financial institution***], specifically referring upon such writing to this credit by number. The address for notices with respect to this Credit shall be: (i) for CDFW: Department of Fish and Wildlife, Habitat

Conservation Planning Branch, Post Office Box 944209, Sacramento, CA 94244-2090, Attn: HCPB Contract Coordinator; and (ii) for the Applicant: [***name and address of applicant***].

15. This Credit may not be transferred.

16. This Credit is subject to the International Standby Practices 1998 ("ISP 98"). As to matters not covered by the ISP 98 and to the extent not inconsistent with the ISP 98, this credit shall be governed by and construed in accordance with the Uniform Commercial Code, Article 5 of the State of California.

17. This Credit shall, if not canceled, expire on [***expiration date***], or any extended expiration date.

18. We hereby agree with CDFW that documents presented in compliance with the terms of this Credit will be duly honored upon presentation, as specified herein.

19. This Credit sets forth in full the terms of our undertaking. Such undertaking shall not in any way be modified, amended or amplified by reference to any document or instrument referred to herein or in which this Credit is referred to or to which this Credit relates and any such reference shall not be deemed to incorporate herein by reference any document or instrument.

[***Name of financial institution***]

By: _____

Name: _____

Title: _____

Telephone: _____

ATTACHMENT A

IRREVOCABLE STANDBY LETTER OF CREDIT NO. [***number issued by financial institution***]
CERTIFICATE FOR DRAWING

To:

[***Name and address of financial institution***]

Re: Incidental Take Permit No. [***permit number***]

The undersigned, a duly Authorized Representative of the California Department of Fish and Wildlife ("CDFW"), as defined in paragraph 12 in the above-referenced Irrevocable Standby Letter of Credit ("Credit"), hereby certifies to the Issuer that:

1. [***Insert one of the following statements:*** "In the opinion of CDFW, the Applicant has failed to complete the Mitigation Requirements referenced in paragraph 3 of the Credit." ***or*** "As set forth in paragraph 13, the Issuer has informed CDFW that the Credit will not be extended and the Applicant has not provided CDFW with an equivalent security approved by CDFW to replace the Credit."]
2. The undersigned is authorized under the terms of the Credit to present this Certificate as the sole means of demanding payment on the Credit.
3. CDFW is therefore making a drawing under the Credit in amount of U.S. \$_____.
4. The amount demanded does not exceed the Principal Sum of the Credit.

Therefore, CDFW has executed and delivered this Certificate as of the ____ day of [***month***], [***year***].

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

BY: _____

[***Insert one of the following:*** "DIRECTOR" ***or*** "GENERAL COUNSEL" ***or*** "REGIONAL MANAGER, [NAME OF REGIONAL OFFICE]" ***or*** "BRANCH CHIEF, HABITAT CONSERVATION PLANNING BRANCH"]

ATTACHMENT B

IRREVOCABLE LETTER OF CREDIT NO. [**number issued by financial institution**]
CERTIFICATE FOR [**insert either: "CANCELLATION" or "REDUCTION"**]

To:

[**Name of financial institution and address**]

Re: Incidental Take Permit No. [**permit number**]

The undersigned, a duly Authorized Representative of the California Department of Fish and Wildlife ("CDFW"), as defined in the paragraph 12 in the above-referenced Irrevocable Standby Letter of Credit ("Credit"), hereby certifies to the Issuer that:

1. [**Insert one of the following statements:** "The Applicant has presented documentary evidence of full compliance with the Mitigation Requirements referenced in paragraph 3 of the Credit." **or** "The Applicant has presented documentary evidence of compliance with the following Mitigation Requirement[(s)] referenced in paragraph 3 of the Credit: [**insert brief description of requirement(s) or requirement number(s) completed**]." **or** "The Applicant has provided CDFW with an equivalent security approved by CDFW to replace the Credit."]
2. [**Insert one of the following statements:** "CDFW therefore requests the cancellation of the Credit." **or** "CDFW therefore requests a reduction in the Principal Sum in the amount of \$_____, thereby making the new Principal Sum \$_____."]

[**Insert one of the following statements:** "Therefore, CDFW has executed and delivered this Certificate for Cancellation as of the ____ day of [**month**], [**year**]." **or** "Therefore, CDFW has executed and delivered this Certificate for Reduction as of the ____ day of [**month**], [**year**]."]

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

BY: _____

[**Insert one of the following:** "DIRECTOR" **or** "GENERAL COUNSEL" **or** "REGIONAL MANAGER, [NAME OF REGIONAL OFFICE]" **or** "BRANCH CHIEF, HABITAT CONSERVATION PLANNING BRANCH"]

California Department of Fish and Wildlife
Mitigation Payment Transmittal Form

Project Applicant Instructions: Please fill out and attach this form to payment. For conservation banks, also attach the Bill(s) of Sale for credits sold. One form may be used for multiple transactions, **BUT YOU MUST USE A SEPARATE FORM FOR EACH CHECK YOU TRANSMIT.** Make sure to include Project Name, Project Tracking Number, and FASB Mitigation Tracking Number (if available) on the attached payment type.

(1) **DATE:** _____

TO: _____

[CDFW Regional Manager]

 [CDFW Regional Office Address]

(2) **FROM:** _____

Name

 Mailing Address

 City, State, Zip

 Telephone Number/FAX Number

(3) **RE:** _____

[Project Name as appears on permit/agreement]

(4) **AGREEMENT/ACCOUNT INFORMATION:**

(Check the applicable type)

☐ 2081 Permit ☐ Conservation Bank ☐ 1802 Agreement

☐ 2835 NCCP ☐ Other _____

 [Project Tracking Number]

 [FASB Mitigation Tracking Number (if available)]

Index _____ PCA _____

(5) **PAYMENT TYPE (One check per form only):** The following funds are being remitted in connection with the above referenced project:

Check information:

Total \$ _____

Check No. _____

Account No. _____

Bank Routing No. _____

a. Endowment: for Long-Term Management Subtotal \$ _____

b. Habitat Enhancement Subtotal \$ _____

c. Security:

1. Cash Refundable Security Deposit Subtotal \$ _____

2. Letter of Credit Subtotal \$ _____

1. Financial Institution: _____

2. Letter of Credit Number: _____

3. Date of Expiration: _____