

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

CENTRAL REGION

1234 EAST SHAW AVENUE

FRESNO, CALIFORNIA 93710



AMENDMENT NO. 1

(A Major Amendment)

California Endangered Species Act

Incidental Take Permit No. 2081-2020-047-04

Southern California Gas Company

eTS 38117 Cross Valley Station Project in Kern County

INTRODUCTION

On November 2, 2020, the California Department of Fish and Wildlife (CDFW) issued Incidental Take Permit No. 2081-2020-047-04 (ITP) to Southern California Gas Company (Permittee), authorizing take of San Joaquin antelope squirrel (*Ammospermophilus nelsoni*) (Covered Species) associated with and incidental to the eTS 38117 Cross Valley Station Project in Kern County, California (Project). The Project as described in the ITP as originally issued by CDFW includes activities associated with the replacement of a malfunctioning pressure limiting station and communications shelter with electronics within the Cross Valley Station (Station) where natural gas pressure is measured and regulated at the connection of Line 7053 to Line 85. In issuing the ITP, CDFW found, among other things, that Permittee's compliance with the Conditions of Approval of the ITP would fully mitigate Project impacts of the taking on the Covered Species and that issuance of the ITP would not jeopardize the continued existence of the Covered Species.

In an email dated December 14, 2020, the Permittee requested a change to the Project in order to be able to complete the Project as scheduled and as quickly as possible to ensure an adequate gas supply is available to the city of Taft and community of Valley Acres for winter heating. This change will add an additional excavation area to access the pipeline, move and add additional Staging Areas, add cross compression as a Covered Activity, add equipment to be used at the site during construction, and allow excavations to be inspected once per day on non-work days. The additional excavation area will increase the total Project footprint by 0.003 acre, but this increase will not increase the impacts to the Covered Species habitat because this area is within an existing disturbed roadway.

This Major Amendment No. 1 (Amendment) makes the following changes to the existing ITP:

First, this Amendment adds an additional area south of the Station that needs to be excavated to fully expose the pipeline to the Project Area.

Second, this Amendment moves and increases the size of the existing Staging Area in the Project Description and adds an additional Staging Area next to the Station.

Third, this Amendment adds activities related to cross compression to the Project Description and Covered Activities.

Fourth, this Amendment increases the total footprint of the Project by 0.003 acre.

Fifth, this Amendment changes the inspection frequency of excavation areas by the Designated Biologist and/or Designated Monitor from twice per day to once per day on non-work days.

Sixth, this Amendment revises and accordingly replaces Figure 2 of the ITP with Figure 2a to depict the modified Project Area and increased and additional Staging Areas.

AMENDMENT

The ITP is amended as follows (amended language in ***bold italics***; deleted language in ~~strikethrough~~):

1. The section entitled "Project Location" on page 2 of the ITP shall be amended to read as follows:

The eTS 38117 Cross Valley Station Project (Project) is located in the southern San Joaquin Valley approximately one mile southeast of the community of Valley Acres and State Route 119 in Kern County (Figure 1). The Project is specifically within Assessor's Parcel Number 298-190-05, United States Geological Survey (USGS) 7.5 Minute Quad Map Taft, Township 31 South, Range 24 East, Section 33, Mount Diablo Base and Meridian; Latitude 35.194864°N, Longitude -119.398549°W (Figure ~~2~~***2a***).

2. The first paragraph of the section entitled "Project Description" on page 2 of the ITP shall be amended to read as follows:

The Project includes the replacement of a malfunctioning pressure limiting station and communications shelter with electronics within the Cross Valley Station (Station) where natural gas pressure is measured and regulated at the connection of Line 7053 to Line 85. The 4800-square foot Station is currently surrounded with chain-link fencing, a portion of which will be temporarily removed to allow for equipment access during construction. ***An additional approximately 144-square***

foot excavation area immediately south of the Station within an existing dirt roadway is needed to fully excavate the underground pipeline.

3. The third paragraph of the section entitled “Project Description” on page 2 of the ITP shall be amended to read as follows:

The third excavation is needed to remove and install the pressure limiting station equipment within the Station. This excavation will be approximately 17 feet wide by 55.5 feet long by seven feet deep with a small extension of approximately three feet wide by seven feet, six inches long by seven feet deep, or approximately 6,692 cubic feet. If necessary, shoring will be placed in the excavation to install new underground valve supports. Once the pipeline is exposed, the existing 16-inch station piping will be cold-cut for removal and an underground dual run pressure limiting station with ten-inch and 16-inch wrapped piping, control valves, and isolation valves will be installed and tied into the existing cathodic protection system/grid. **Prior to removing the exposed pipes, the gas must be cleared from the pipes by performing a “cross compression” procedure. This process involves the use of three large trailer-mounted compressors connected to the gas pipelines by temporary piping. The compressors are required to be as close to the Station as possible, and the system will run for up to 48 consecutive hours to fully purge gas from the lines.** The new piping will be hydro-tested and then all excavations will be backfilled with the native, stockpiled soil and compacted.

4. The sixth paragraph of the section entitled “Project Description” on page 3 of the ITP shall be amended to read as follows:

Access to the Station will be from existing dirt access roads. A ~~4500~~**6600**-square foot Staging Area **for equipment and materials** will be located ~~directly~~ **southwest** of the Station within the dirt access road right-of-way. **A 5500-square foot Staging Area will be located directly northwest and southwest of the Station in a dirt parking area and access road for equipment such as cross compression equipment and an office trailer.** Equipment to be used at the site during construction include a rubber tire backhoe, a boom crane truck, a 60-ton crane, welding trucks, pick-up trucks, a water truck, a Bobcat tractor/front-end loader, a flat-bed tractor trailer, a concrete truck, **an office trailer, ice machine, three large trailer-mounted compressors, temporary pipelines for cross compression,** and a towable air compressor.

5. The first and second paragraphs of the section entitled “Impacts on the Taking on Covered Species” on page 4 of the ITP shall be amended to read as follows:

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: clearing; excavating; demolishing and removing existing above-ground facilities and foundations; pouring a new concrete foundation; replacing new above-ground facilities; ***purging gas from pipelines using cross compression***; cutting and removing existing pipeline segments; installing replacement pipeline segments; installing new pressure limiting station equipment; installing valves; welding; compacting soil, grading, and installing gravel at the Project Area; materials laydown and storage; heavy equipment storage; transporting construction materials and other Project-related traffic; installing and removing temporary exclusion fencing; and other activities described in the Project Description section of this ITP (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 burrow collapse resulting in crushing or suffocation of underground individuals due to site preparation and excavation, crushing by equipment in the Project Area, entrapment and burial within excavations, and vehicle strikes from Project-related traffic during construction activities. Incidental take of individuals of the Covered Species may occur from the Covered Activities in the form of pursue, catch, capture, or attempt to do so of the Covered Species via entrapment in holes or excavations, uncovering Covered Species through the excavation of burrow systems, by corralling Covered Species into a confined area when exclusion fencing is constructed around the Project Area, and when individuals of the Covered Species are relocated out of harm’s way as required by this ITP. The areas where authorized take of the Covered Species is expected to occur include: the ~~4800~~ **4944**-square foot Station **Work Area**, the ~~4500~~ **6600**-square foot Staging Area **for equipment and materials**, the **5500-square foot Staging Area for cross compression and other equipment**, and access routes (collectively, the Project Area).

6. Condition of Approval 5.11 (Excavation Inspection) starting on page 13 of the ITP shall be amended to read as follows:

Excavation Inspection. The Designated Biologist and/or Designated Monitor shall inspect all trenches, open holes, sumps, and other excavations within the Project Area at the beginning and end of each **work** day for trapped animals. All trenches, holes, sumps, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope shall be covered when workers or equipment are not actively working in the excavation, which includes cessation of work overnight, or shall have an escape ramp of earth or a non-slip material with a less than 1:1 (45 degree) slope. To

prevent inadvertent entrapment of the Covered Species, the Designated Biologist and/or Designated Monitor shall oversee the covering of all trenches, holes, sumps, or other excavations with sidewalls greater than 1:1 (45 degree) slope of any depth with barrier material (such as hardware cloth) at the close of each working day such that animals are unable to dig or squeeze under the barrier and become entrapped. The outer two feet of excavation cover shall conform to solid ground so that gaps do not occur between the cover and the ground and secured with soil staples or similar means to prevent gaps. Each morning, end of each day ~~(including weekends and any other non-work days)~~, and immediately before trenches, holes, sumps, or other excavations are back-filled, the Designated Biologist and/or Designated Monitor shall thoroughly inspect them for Covered Species. ***On all non-work days, the Designated Biologist and/or Designated Monitor shall thoroughly inspect trenches, holes, sumps, or other excavations for trapped animals at least once per day.*** Designated Biologist and/or Designated Monitor shall also thoroughly inspect any trenches, holes, sumps, or other excavations that are covered long-term at the beginning of each working day to ensure inadvertent entrapment has not occurred and shall make any necessary repairs to the cover. If any worker discovers a Covered Species has become trapped, Permittee shall cease all Covered Activities in the vicinity and notify the Designated Biologist immediately. Project workers and the Designated Biologist shall allow the Covered Species to escape unimpeded if possible before Covered Activities are allowed to continue, or the Designated Biologist shall capture and relocate the Covered Species as per the approved Covered Species Mortality Reduction and Relocation Plan required in Condition of Approval 4.3 above.

7. The section entitled "Attachments" on page 20 of the ITP shall be amended to read:

FIGURE 1	Project Location Regional Map
FIGURE 22a	Project Location Detailed Map
ATTACHMENT 1	Mitigation Monitoring and Reporting Program

The corresponding measures in the Mitigation Monitoring and Reporting Program (MMRP) (Attachment 1 of the ITP) shall be amended to read the same as above. All terms and conditions of the ITP and MMRP that are not expressly amended herein remain in effect and must be implemented and adhered to by the Permittee.

FINDINGS

Issuance of this Amendment may increase the amount of take of the Covered Species compared to the Project as originally approved; however, because the increase in

Project Area is within an area that is a previously disturbed roadway, it is not expected that this Amendment will increase Project impacts on these species (i.e., “impacts of taking” as used in Fish and Game Code Section 2081, subd. (b)(2)).

Discussion: This Amendment makes six specific changes to the ITP as originally issued: 1) this Amendment adds an additional area south of the Station that needs to be excavated to fully expose the pipeline to the Project Area; 2) this Amendment moves and increases the size of the existing Staging Area in the Project Description and adds an additional Staging Area next to the Station; 3) this Amendment adds activities related to cross compression to the Project Description and Covered Activities; 4) this Amendment increases the total footprint of the Project by 0.003 acre; 5) this Amendment allows excavation areas to be inspected for trapped animals only once per day by the Designated Biologist and/or Designated Monitor on non-work days; and 6) this Amendment revises and accordingly replaces Figure 2 of the ITP with Figure 2a to depict the modified Project Area and increased and additional Staging Areas.

CDFW has determined that although this Amendment may result in an increase in take of the Covered Species, the additional impacts of the taking will be minimized and fully mitigated through implementation of the Conditions of Approval. Because the impacts will be minimized and fully mitigated, there will be no increase in Project impacts to the Covered Species with this Amendment.

Issuance of this Amendment does not affect CDFW’s previous determination that issuance of the ITP meets and is otherwise consistent with the permitting criteria set forth in Fish and Game Code section 2081, subdivisions (b) and (c).

Discussion: CDFW determined in November 2020 that the Project, as approved, met the standards for issuance of an ITP under CESA. This determination included findings that, among other things, the impacts of the taking would be minimized and fully mitigated and that the Project would not jeopardize the continued existence of the Covered Species. Those findings are unchanged with respect to this Amendment because the Project and ITP, as amended: (1) does not result in an increase the impacts to the Covered Species habitat because this area is within an existing disturbed roadway; and (2) does not alter the Permittee’s continued adherence to and implementation of the avoidance and minimization measures set forth in the ITP’s Conditions of Approval and MMRP will minimize and fully mitigate impacts of the taking on the Covered Species.

None of the factors that would trigger the need for subsequent or supplemental environmental analysis of the Project under Public Resources Code section 21166 or California Code of Regulations, title 14, sections 15162 and 15163, exist as a result of this Amendment.

Discussion: CDFW issued the ITP in November 2020 as the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). CDFW has determined that this Project is statutorily exempt from CEQA because it is “emergency repairs to public service facilities necessary to maintain service”. (Pub. Resources Code, § 21080, subd. (b)(2)). As a result, CDFW finds that no additional subsequent or supplemental environmental review is required by CEQA as part of CDFW’s approval of this Amendment.

CDFW finds that this Amendment is a Major Amendment, as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(5).

Discussion: This Amendment increases the size of the Station Work Area, moves and increases the size of the material and equipment Staging Area, and adds another Staging Area for cross compression equipment and an office trailer to the Project Area, adds activities related to cross compression activities to the Project Description and Covered Activities, and increases the total footprint of the proposed Project by 0.003 acre.

As described above, these changes to the ITP will increase the Project Area and Footprint, move and increase a Staging Area, add another Staging Area where Covered Activities will occur, add an additional Covered Activity, and modify a minimization measure. Therefore, this Amendment will substantially increase the scope or nature of the permitted Project or activity, or significantly modify the minimization, mitigation, or monitoring measures in the ITP. CDFW has determined that the changes to the ITP constitutes a Major Amendment as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(5).

The authorization provided by this Amendment is not valid until Permittee signs and dates the acknowledgement below, and returns one of the duplicate originals of this Amendment by registered first class mail to CDFW at:

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

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


Major Amendment No. 1
Incidental Take Permit 2081-2020-047-04
SOUTHERN CALIFORNIA GAS COMPANY
ETS 38117 CROSS VALLEY STATION PROJECT

Attachments:

ATTACHMENT 1 Figure 2a Project Location Detailed Map

APPROVED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE


on 12/18/2020

DocuSigned by:

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Julie A. Vance, Regional Manager
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 the original ITP and this Amendment, and (3) agrees on behalf of the Permittee to comply with all terms and conditions of the ITP as amended.

By: 
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Date: 12/18/2020

Printed Name: Juan Jimenez

Title: Project Manager II

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Incidental Take Permit 2081-2020-047-04
SOUTHERN CALIFORNIA GAS COMPANY
ETS 38117 CROSS VALLEY STATION PROJECT

ATTACHMENT 1

Figure 2a Project Location Detailed Map

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Figure 2a Project Location Detailed Map



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Fig.1 Exclusion Plan_20201202