

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**

CENTRAL REGION

1234 EAST SHAW AVENUE

FRESNO, CALIFORNIA 93710



**AMENDMENT NO. 1**

(A Minor Amendment)

California Endangered Species Act

Incidental Take Permit No. 2081-2017-002-04

Southern California Gas Company

Line 103 Right of Way Maintenance Project in Kern County

**INTRODUCTION**

On December 10, 2020, the California Department of Fish and Wildlife (CDFW) issued Incidental Take Permit No. 2081-2017-002-04 (ITP) to Southern California Gas Company (Permittee), authorizing take of San Joaquin antelope squirrel (*Ammospermophilus nelsoni*) and San Joaquin kit fox (*Vulpes macrotis mutica*) (Covered Species) associated with and incidental to the Line 103 Right of Way Maintenance Project in Kern County, California (Project). The Project as described in the ITP as originally issued by CDFW includes activities associated with the repair two segments of the 10-inch natural gas pipeline (Line) 103 located at Mile Post (MP) 1.39 and MP 2.20 that have been exposed due to erosion and repair and regrading 3.2 miles of right-of-way (ROW) access roads for Line 103 in order to access those repair locations and conduct inspections of the entire Line. 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 February 25, 2021, the Permittee requested a change to the Project because pipeline integrity evaluations of the exposed 10-inch pipeline at the MP 1.39 and 2.20 exposure work areas show that the pipe has lost more than half the thickness. This change will increase the excavation area at MP 1.39 from 160 linear feet to approximately 300 linear feet and will increase the excavation area at MP 2.20 from 40 linear feet by 8 feet wide to approximately 20 linear feet by 20 feet wide to safely and accurately identify sections of pipe that are of sufficient metal thickness/integrity so that the deficient pipe can be extracted, and a new pipe segment installed. The additional excavation area will not increase the total Project footprint nor increase the impacts to the Covered Species habitat because the area is within the existing access road and the previously calculated temporary impact area for the Work Areas and access road regrading. The Permittee has also requested to add up to one more water bar rock outfall without increasing the total area of approximately 307 square feet. The Permittee has identified severe erosion that occurred in some sections of the access road where

approximately 310 to 330 cubic yards of imported or certified clean fill will be necessary for repairs. Finally, there are minor changes to the type of epoxy material to be applied over the pipeline welds and covering material to protect the pipe prior to reburial and equipment to be used for the Project.

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

First, this Amendment increases the size of the MP 1.39 excavation area from 160 linear feet by 8 feet wide by 5 feet deep to up to 300 linear feet by 8 feet wide by 5 feet deep and increases the size of the MP 2.20 excavation area from 40 linear feet by 8 feet wide by 5 feet deep to up to 20 linear feet by 20 feet wide by 5 feet deep in the Project Description.

Second, this Amendment changes pipeline wrap to be applied over the pipeline from a fusion-bonded epoxy to a two-part epoxy material over the pipeline welds and the covering from a woven geotextile material to a poly-woven Rock Guard material to provide additional insulating protection to the pipe prior to reburial in the Project Description.

Third, this Amendment increases the number of water bar rock outfall areas in the Project Description from three to up to four, but the total Project area will remain at approximately 307 square feet in the Project Description.

Fourth, this Amendment adds that imported or certified clean fill will be necessary to repair severe erosion to several sections of the existing access road in the Project Description.

Fifth, this Amendment adds equipment to be used and provides that the exact equipment may be substituted with equipment of similar size and specification based on availability at the time of construction in the Project Description.

## **AMENDMENT**

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

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

### Pipe Exposure Repairs

Repair activities at MP 1.39 and MP 2.20 include an inspection of the pipe to determine the integrity of the steel pipe. In order to perform inspections, a work crew of approximately 10 persons will excavate soil using heavy equipment providing a full circumference exposure of the pipeline segment, remove the existing pipe wrap, and perform an integrity inspection test using hand tools and electronic instrumentation to detect pipe anomalies. The MP 1.39 excavation area will be **up to approximately 460300** linear feet by 8 feet wide by 5 feet deep and the MP 2.20 excavation area will be **up to approximately 4020** linear feet by **820** feet wide by 5 feet deep. Based on the findings of the inspection, any pipeline section that fails the integrity testing will be repaired by welding a metal sleeve over the anomaly or a pipe segment will be replaced by cutting away a segment and welding in place a new pipe segment to ensure pipeline integrity is in accordance with the United States Department of Transportation Pipeline Hazardous Materials and Safety Administration requirements.

2. The third paragraph of the section entitled "Project Description" on pages 2 and 3 of the ITP shall be amended to read as follows:

Upon completion of the inspection and any necessary repairs, a ~~fusion-bonded~~ **two-part epoxy pipeline wrap material** will be applied over the pipeline **welds** in the repair/inspection areas, then covered with a **poly-woven geotextile Rock Guard** material to provide additional insulating protection to the pipe prior to reburying the pipe with ~~up to 400 cubic yards of native~~ **and/or imported clean or certified clean** fill material. The exposure repair areas will also be covered with a series of 8-foot by 20-foot pre-cast articulated concrete revetment mattresses due to their shallow depth and locations within areas subject to additional erosion as well as water bars with rock outfalls and rock slope protection (RSP) to prevent future erosion. Rock to be used is size D50, or **approximately 12 inches in diameter**. The MP 1.39 location will require a total of **up to 33** revetment mattresses, ~~up to three~~ **four** water bar rock outfall areas totaling approximately 307 square feet and placement of **approximately 34** cubic yards of rock, an approximately 711-square foot rock trench with **approximately 79** cubic yards of rock, and an approximately 200 square foot rock subgrade area with **approximately 22** cubic yards of rock. The MP 2.20 location will require **up to 5 revetment** mattresses and placement of approximately 214 square feet (24 cubic yards) of RSP upstream and approximately 1,037 square feet (115 cubic yards) of RSP downstream of the mattresses. Two staging areas for equipment and materials for each of the pipe repair locations will be located on existing disturbed habitat: up to 0.161 acre for the MP 1.39 location and up to 0.069 acre for the MP 2.20 location.

3. The fourth paragraph of the section entitled "Project Description" on page 3 of the ITP shall be amended to read as follows:

Access Road Grading

Surface road maintenance includes regrading approximately 3.2 miles of existing dirt access road. Road grading activities may occur adjacent to CDFW's ER property but will not occur within the boundaries of the ER. The purpose of the access road is to provide regular inspection access over the pipeline right-of-way and to provide access for any necessary pipeline repairs. These segments of the Line 103 right-of-way access road ~~has~~ **have** experienced degradation from storm-related damage, hillside erosion, **underground water pipeline leaks (not owned by Permittee)**, and vegetation overgrowth due the lack of routine maintenance. The existing road, vehicle turnouts, and shoo-fly roads (shoo-fly roads are spur roads often up to 50 feet in length to pipe spans, pipe appendages, or connecting roads) will be repaired by grading to a depth of up to 3 inches, **deeper in sections requiring fill**, without altering its designated footprint of up to 15-foot wide road with periodic turnouts allowing maintenance vehicle turn around. ~~No~~ **Approximately 310 to 330 cubic yards of imported clean or certified clean** fill material ~~import~~ is anticipated; **in sections of the road where severe erosion has occurred** ~~nor will it be required as any repair of erosion rills that require fill would be achieved through surface grading the existing roadbed for materials.~~

4. The sixth paragraph of the section entitled "Project Description" on pages 3 and 4 of the ITP shall be amended to read as follows:

As described above, a large portion of the Project occurs within the CLEP. All Project activities occurring within the CLEP will be conducted in compliance with all applicable conditions of the CLEP Conservation Easement to which CDFW is Grantee. It is anticipated that the inspection and repair of each location will take between six and eight weeks depending on weather conditions and whether the pipe repair requires replacement, banding, or the minimal inspection, re-coating, and backfilling. Access to the Project will be from existing dirt roads. All temporary access, staging, stockpile and other temporarily disturbed areas will be stabilized and returned to pre-construction conditions, including installation of erosion control blankets and application of seed. Equipment to be used **may** includes: track-hoe, backhoe, motor grader, water truck, side boom, crane or heavy lift, gang truck, flatbed truck, welding truck, **dump truck**, pickup truck, portable generators and air compressors, **metal jobsite storage containers/trailers**, crew trucks and portable restrooms. **Exact equipment may be substituted with that of similar size and specification based on availability at the time of construction.**

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 will not increase the amount of take of the Covered Species compared to the Project as originally approved, nor will this Amendment increase other Project impacts on the Covered Species (i.e., “impacts of taking” as used in Fish and Game Code Section 2081, subd. (b)(2)).*

Discussion: This Amendment makes five specific changes to the Project Description of the ITP as originally issued: 1) this Amendment increases the size of the MP 1.39 excavation area from 160 linear feet by 8 feet wide by 5 feet deep to up to 300 linear feet by 8 feet wide by 5 feet deep and increases the size of the MP 2.20 excavation area from 40 linear feet by 8 feet wide by 5 feet deep to up to 20 linear feet by 20 feet wide by 5 feet deep; 2) this Amendment changes pipeline wrap to be applied over the pipeline from a fusion-bonded epoxy to a two-part epoxy material over the pipeline welds and the covering from a woven geotextile material to a poly-woven Rock Guard material to provide additional insulating protection to the pipe prior to reburial; 3) this Amendment increases the number of water bar rock outfall areas in the Project Description from three to up to four, but the total area will remain at approximately 307 square feet; 4) this Amendment adds that imported or certified clean fill will be necessary to repair severe erosion to several sections of the existing access road; 5) this Amendment adds equipment to be used and provides that the exact equipment may be substituted with equipment of similar size and specification based on availability at the time of construction.

CDFW has determined that these changes to the Project Description will not increase the amount of take or the severity of other impacts of the taking on the Covered Species. Given the circumstances of this Project, CDFW believes that the changes to the Project or Conditions of the ITP described in this Amendment will not increase impacts to the Covered Species.

*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 December 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 December 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 "specific actions necessary to prevent or mitigate an emergency". (Pub. Resources Code, § 21080, subd. (b)(4)). 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 Minor Amendment, as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(4).*

Discussion: This Amendment increases the size of the excavation areas, changes the type of pipeline and covering material, increases the number of water bar rock outfall areas but the total area will remain the same, adds that imported or certified clean fill will be necessary to repair the existing access road, and adds equipment to be used and provides that substitutions of equipment will be similar size and specification.

As described above, these changes to the ITP will not: (1) increase the level of take or other Project impacts on Covered Species previously analyzed and authorized by the ITP, (2) affect Permittee's substantive mitigation obligations under the ITP, (3) require further environmental review under CEQA, or (4) increase temporal impacts on the Covered Species. Therefore, this Amendment will not significantly modify the scope or nature of the permitted Project or activity, or the minimization, mitigation, or monitoring measures in the ITP. CDFW has determined that the change to the ITP constitutes a Minor Amendment as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(4).

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:

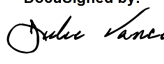
Minor Amendment No. 1  
Incidental Take Permit 2081-2017-002-04  
SOUTHERN CALIFORNIA GAS COMPANY  
LINE 103 ROW MAINTENANCE PROJECT

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.

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

on 3/19/2021

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:   
71AF449306A04DF...

Date: 3/19/2021

Printed Name: Elod Nemeth

Title: Project Manager II

Minor Amendment No. 1  
Incidental Take Permit 2081-2017-002-04  
**SOUTHERN CALIFORNIA GAS COMPANY**  
**LINE 103 ROW MAINTENANCE PROJECT**