

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**

CENTRAL REGION

1234 EAST SHAW AVENUE

FRESNO, CALIFORNIA, 93710



**AMENDMENT NO. 2**

(A Minor Amendment)

California Endangered Species Act

Incidental Take Permit No. 2081-2013-067-04

Los Angeles Department of Water and Power

Barren Ridge Renewable Transmission Project:

Barren Ridge Switching Station in Kern County

**INTRODUCTION**

On December 17, 2013, the California Department of Fish and Wildlife (CDFW) issued Incidental Take Permit No. 2081-2013-067-04 (ITP) to Los Angeles Department of Water and Power (LADWP) (Permittee) authorizing take of desert tortoise (*Gopherus agassizii*) and Mohave ground squirrel (*Xerospermophilus mohavensis*) (collectively, the Covered Species) associated with and incidental to the Barren Ridge Renewable Transmission Project: Barren Ridge Switching Station Expansion in Kern County, California (Project). The Project as described in the ITP originally issued by CDFW included a single construction phase resulting in development of an additional 3.7 acres of previously undeveloped land to expand the existing 2.9-acre Barren Ridge Switching Station (Switching Station) and operation and maintenance (O&M) of the entire resultant 6.6-acre Barren Ridge Switching Station and the existing 0.75-mile access road. In issuing the ITP, CDFW found, among other things, that Permittee's compliance with the Conditions of Approval of the ITP would fully mitigate impacts to the Covered Species and would not jeopardize the continued existence of the Covered Species.

On April 1, 2021, CDFW issued Amendment No. 1, which changed the Project description to expand the Switching Station footprint by 11.23 acres for a total footprint of 17.83 acres. Amendment No. 1 also increased the amount of Habitat Management land required to compensate for the increase in permanent impacts to Covered Species.

In issuing the ITP and Amendment No. 1 (collectively, the ITP as amended), CDFW found, among other things, that Permittee's compliance with the Conditions of Approval of the ITP, as amended, would fully mitigate impacts of the taking on Covered Species and would not jeopardize the continued existence of the Covered Species.

In a letter dated June 16, 2021, Permittee requested a second amendment of the ITP, as amended, to: (1) add the option for a Biological Monitor to assist Designated Biologists; and (2) replace *Figure 4 Phase 3 Project Map* with a figure that correctly identifies the expansion work area.

This Major Amendment No. 2 (Amendment) makes the following changes to the existing ITP, as amended:

1. Modifies Condition of Approval 5.2, to authorize the use of Biological Monitors to assist Designated Biologists.
2. Replaces Figure 4 with a figure correctly identifying the expansion area.

## AMENDMENT

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

1. Condition of Approval 5.2 on page 5 shall be amended to read:

Designated Biologist. Permittee shall submit to CDFW in writing the name, qualifications, business address, and contact information of a biological monitor (Designated Biologist) at least 30 days before starting Covered Activities. Permittee shall ensure that the Designated Biologist is knowledgeable and experienced in the biology, natural history, collecting and handling of the Covered Species. The Designated Biologist shall be responsible for monitoring Covered Activities to help minimize and fully mitigate or avoid the incidental take of individual Covered Species and to minimize disturbance of Covered Species' habitat. Permittee shall obtain CDFW approval of the Designated Biologist in writing before starting Covered Activities, and shall also obtain approval in advance in writing if the Designated Biologist must be changed. ***Permittee has the option of utilizing biological monitor(s) to assist the Designated Biologist in compliance monitoring under direction of the Designated Biologist. If Permittee chooses to utilize biological monitor(s), Permittee shall submit in writing to CDFW the name, qualifications, business address, and contact information of the proposed biological monitor(s) for written pre-approval. Biological monitors may handle Covered Species under the direct supervision of the Designated Biologist only if approved in advance and in writing by CDFW.***

2. Figure 4 Phase 3 Project Map, as specified in item number 1, page 5, paragraph number 3 and item number 19, page 19, paragraph number 2, of the ITP, as amended, in Amendment No. 1, shall be replaced with Figure 4.1 attached to this Amendment.

All terms and conditions of the ITP, as amended, 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 as compared to the Project as originally approved, and this Amendment will not 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 two changes to the ITP, as amended. One, this Amendment allows for the use of Biological Monitors, who typically have limited experience with Covered Species, to assist the Designated Biologists, who have extensive experience with the Covered Species, with specific CDFW approved tasks required by the Conditions of Approval. And two, this Amendment replaces Figure 4 with an updated Figure 4.1. Figure 4 was inaccurate; it did not depict the entire permitted work area and permanent impacts.

CDFW has determined that the use of Biological Monitors and the replacement of a Figure 4 with Figure 4.1 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, as amended, and as 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, as amended, 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 2013 that the Project, as approved, met the standards for issuance of an ITP under CESA. CDFW determined in April 2021 that Amendment No. 1 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) will have no effect on the amount or severity of Project impacts on the Covered Species, as discussed above, and (2) does not substantively alter the measures that will be undertaken to minimize and mitigate previously authorized impacts on the Covered Species. Permittee’s continued adherence to and implementation of the avoidance and minimization measures set forth in the ITP’s Conditions of Approval and MMRP, as amended, 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 2013 and Amendment No. 1 in April 2021 as a responsible agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) after, among other things, considering the Environmental Impact Statement/Environmental Impact Report (SCH No. 20088041038) adopted by the Los Angeles Department of Water and Power as the lead agency for the Project. As explained in the findings below, CDFW finds for purposes of CESA that this Amendment represents a minor change in the Project as originally approved. However, for the reasons explained above, CDFW concludes this Amendment is not a change in the Project that has the potential to create a new significant effect not previously analyzed, a substantial change in the circumstances under which the Project is being undertaken requiring major revisions to previous CEQA documents, or new information of substantial importance. 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 will: (1) allow for the use of Biological Monitors to assist Designated Biologists; and (2) replace Figure 4 with an updated Figure 4.1. As described above, these changes to the ITP, as amended, will not: (1) increase the level of take or other Project impacts on Covered Species previously analyzed and authorized by the ITP, as amended; (2) affect Permittee's substantive mitigation obligations under the ITP, as amended; (3) require further environmental review under CEQA; or (4) increase permanent 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, as amended. CDFW has determined that the change to the ITP, as amended, 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. 2  
Incidental Take Permit 2081-2013-067-04  
LOS ANGELES DEPARTMENT OF WATER AND POWER

Barren Ridge Renewable Transmission Project: Barren Ridge Switching Station Project

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

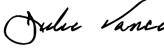
Alternatively, the Permittee shall email the digitally signed amendment to [CESA@wildlife.ca.gov](mailto:CESA@wildlife.ca.gov). Digital signatures shall comply with Government Code section 16.5.

**Attachment:**

ATTACHMENT A2-1      Figure 4.1: Phase 3 Project Map

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

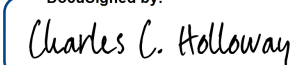
on 8/26/2021

DocuSigned by:  
  
FA83F09FE08945A...

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:   
740ADBE07EEF4E1...

Date: 8/27/2021

Printed Name: Charles C. Holloway

Title: Manager, Environmental Planning

Minor Amendment No. 2  
Incidental Take Permit 2081-2013-067-04  
LOS ANGELES DEPARTMENT OF WATER AND POWER  
Barren Ridge Renewable Transmission Project: Barren Ridge Switching Station Project

ATTACHMENT A2-1

Figure 4.1 Phase 3 Project Map

# Figure 1. Project Area

- Control House and New Bays
- STATCOM and Extended Flood Diversion Channel
- Permanent Impact Area
- Temporary Impact Area

## Desert Tortoise Observations

2015-2018\*

- Active Burrow
- Live in Burrow
- ▲ Pallet
- ✕ Collapsed Burrow

2019

- Live

2020

- Live

\*No monitoring or survey work was performed during 2017.

Permanent and Temporary Impacts are adjacent to each other

General Arrangement for  
Proposed STATCOM

