



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



October 4, 2021

Mr. Gary Huisingh
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607
ghuisingh@alamedactc.org

Subject: Incidental Take Permit for 2081-2021-019-03 Interstate – 680 Southbound Express Lane Project (EA 04-0Q300), Alameda County

Dear Mr. Huisingh:

Enclosed you will find an electronic copy of the Incidental Take Permit for the above referenced Project, which has been digitally 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. You may return an electronic copy of the permit with digital signature to CESA@wildlife.ca.gov. Digital signatures shall comply with Government Code section 16.5. Alternatively, you may return a hard copy of the permit via mail to:

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

You are advised to keep the permit in a secure location and distribute copies to appropriate project staff responsible for ensuring compliance with the conditions of approval of the permit. Note that you are required to comply with certain conditions of approval prior to initiation 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 Mr. Robert Stanley, Senior Environmental Scientist (Specialist), at Robert.Stanley@wildlife.ca.gov; or Mr. Wes Stokes, Senior Environmental Scientist (Supervisory), at Wesley.Stokes@wildlife.ca.gov.

Sincerely,

DocuSigned by:
A stylized signature of Stephanie Fong in black ink.
CF047D7F8D234E1...
Stephanie Fong
Acting Regional Manager
Bay Delta Region



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. 2081-2021-019-03

INTERSTATE 680 – SOUTHBOUND EXPRESS LANE PROJECT; EA 04-0Q300

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: Alameda County Transportation Commission

Principal Officer: Gary Huisingsh, Project Manager

Contact Person: Shelby Goss, (510) 507-8673

Mailing Address: 1111 Broadway, Suite 800, Oakland, CA 94607

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 9.7 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"].)

²"The definition of an endangered, threatened, and candidate species for purposes of CESA are found in Fish and Game Code sections 2062, 2067, and 2068, respectively.

Project Location:

The Interstate 680 Southbound Express Lane Project (Project) is located along eight miles of Interstate (I-680) in Alameda and Contra Costa County (Figure 1). The Project along I-680 runs from Post Mile (PM) 10.6 to PM 21.4 in Alameda County and from PM 0 to 0.5 in Contra Costa County. The Project falls within the Dublin, Niles and La Costa Valley United States Geological Survey (USGS) 7.5-minute topographic quadrangles.

Project Description:

The California Department of Transportation (Caltrans) in cooperation with the Alameda County Transportation Commission (ACTC) proposes to construct a High Occupancy Vehicle (HOV)/express lane on southbound I-680 from Koopman Road in Alameda County to north of Alcosta Boulevard in Contra Costa County. The Project will include improvements in the median for southbound transportation facilities and a future northbound HOV/express lane, as well as southbound pavement rehabilitation within the Project limits. The Project will consist of the following primary components: addition of a new HOV/express lane in the southbound direction of I-680 from 0.8 mile north of Koopman Road to Alcosta Boulevard, installation of electronic tolling equipment and signage, widening/reconstruction of pavement in the median to accommodate the HOV/express lane, rehabilitation of existing pavement and new and replacement concrete barriers, retaining walls, and guard rails.

I-680 HOV Lane Widening and Pavement Improvements

The Project will add one HOV/express lane adjacent to the median on southbound I-680 from north of Koopman Road to north of Alcosta Boulevard. The new lane would be accommodated by reconstructing the paved median for a stronger structural section and widening the pavement as necessary on the inside or outside. All widening would take place within the existing freeway Right of Way (ROW) (Figure 2). The proposed areas of pavement widening would be excavated using graders and excavators to a maximum of four feet in depth. The remaining pavement will be rehabilitated in order to extend the roadway service life, rehabilitation work includes a combination concrete pavement replacement and cold plane with asphalt overlay (Figure 2). The rehabilitation work also includes shoulder widening and pavement overlay on several on- and off-ramps. The freeway lanes would be restriped after the pavement work is completed.

The Project will also install overhead signs, toll gantries, toll readers and antennas, vehicle sensors, rear-plate facing cameras, enforcement beacons, closed-circuit television cameras, zone controllers, utility cabinets, enforcement areas, and maintenance vehicle pullouts. Signs would be mounted on the concrete median barrier, wooden posts on the shoulder and on cantilevered overhead sign structures. Pavement rehabilitation will also include Metal Beam Guardrails (MBGR) replacement and upgrade to the current Midwest Guardrail System (MGS) design standard.

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Maintenance Vehicle Pullout Areas and Enforcement Observation Area

Maintenance vehicle pullout areas will be constructed on the outside edge of freeway shoulders at locations where vehicles and crews need to periodically maintain the tolling system equipment. These areas would be along the freeway or interchange ramps, within the state ROW. Maintenance vehicle pullouts would be approximately 45 feet long and 12 feet wide. A protected enforcement observation area will also be constructed in the freeway median, south of the West Las Positas Boulevard overcrossing. The area would be approximately 115 feet long and 12 feet in width. The enforcement vehicle would park behind concrete barriers on a raised platform. The median would contain status beacons or lights visible that indicate valid or invalid tolling.

Electrical Conduit

Electrical and communications conduits and fiber will be extended from existing sources along the outside edge of pavement to provide electrical power and communications to the electronic tolling equipment and signage for the HOV/express lane facility. Extending electrical and communication conduit and fiber will require trenching and/or horizontal directional drilling to bring these services to the electronic tolling equipment and signage. The depth of trenching will be 26 to 36 inches below the roadway surface. The estimated length of trenching for conduits will be 61,000 feet. Installation of 4,600 feet of steel casing pipe for conduits will be jacked from the shoulder to the median of I-680 at depths ranging from 3 to 6 feet below ground surface. The depth will vary based on the roadway section and the underground existing utilities. The steel casing pipe for the conduits will be a maximum of 4.5 inches in diameter. Installation of pull boxes, controller cabinets, and service enclosures for electrical and/or fiber optic conduits will also be required.

Highway Lighting

Lighting will be upgraded at ramp merges and diverges as specified in Figure 3. Lighting will also be added to overhead signs and at the HOV/express lane entrance and toll zone boundaries, locations on the highway where visibility is restricted by barriers, locations where the median width is narrow and drivers may be exposed to headlight glare, and locations where concentrations of nighttime accidents are known to have occurred (Figure 3). The lighting will have LEDs configured at the minimum necessary illumination level and optimal angle to restrict light to the freeway right-of-way. Back-side and front-side shields on the fixtures will be used to reduce light trespass to surrounding properties.

Drainage Systems

The Project collects stormwater in drainage ditches, stormwater collection systems and flood control channels that are tributary to Alamo Canal and Arroyo de la Laguna, and that discharge into Alameda Creek and ultimately into San Francisco Bay. The existing I-680 drainage system within the Project limits consist of cross culverts, longitudinal pipe systems,

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roadside ditches, asphalt concrete dikes, sheet flow, and concrete curbs with inlets to collect and convey stormwater. Drainage improvements to I-680 in the Project limits include temporary median work to cross culverts, drainage inlets, gutters, drainage ditches, rock slope protection for energy dissipation, and stormwater treatments. The overall direction of site drainage will remain the same, with drainage collected and conveyed to Alamo Canal and Arroyo de la Laguna, which discharges to Alameda Creek and eventually San Francisco Bay.

Roadway Access and Staging

Special haul roads will not be required, Caltrans will use one-way traffic control and lane closures to accomplish construction activities. Temporary barriers (Type K; K-rail) will be used with other traffic control devices to close lanes and ramps, and the available paved surfaces behind the K-rail will provide temporary storage, staging, or laydown areas.

On-Site Restoration

Temporarily disturbed areas and staging areas will be cleaned up and recontoured to pre-project grade or designed contours. Erosion control, including soil stabilization measures such as hydroseeding and coir netting, will be applied to all temporarily affected locations to minimize erosion after construction. All construction-related materials, including Environmentally Sensitive Area (ESA) fencing and exclusionary fencing, will be removed after construction, site clean-up, and restoration activities are complete. All habitat restoration activities will be done immediately following completion of construction in any one area. In short-term temporary impact areas within landscaped, ruderal, or grassland habitat (where impacts would last less than one year), recontouring and hydroseeding will occur by October 31 of the same year of temporary impact.

Covered Species Subject to Take Authorization Provided by this ITP:

This ITP covers the following species:

Name	CESA Status
1. California Tiger Salamander (<i>Ambystoma californiense</i>)	Threatened ³
2. Alameda Whipsnake (<i>Masticophis lateralis euryxanthus</i>) also known as Alameda Striped Racer (<i>Coluber lateralis euryxanthus</i>)	Threatened ⁴

These species and only these species are the “Covered Species” for the purposes of this ITP.

³See Cal. Code Regs. tit. 14 § 670.5, subd. (b)(3)(G).

⁴See Cal. Code Regs. tit. 14 § 670.5, subd. (b)(4)(D).

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 initial site preparation; heavy equipment operation; handling of stockpiles and stored materials; foot traffic; grading; trenching; asphalt concrete (AC) grinding and installation; installation of pullouts, shoulder backing, retaining wall install, median barrier install, light pole installation and drainage replacement activities; and/or relocation activities prescribed by 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 destruction of burrows and dens that the Covered Species inhabit; being crushed under moving vehicles and equipment; disturbance in the vicinity of dens or burrows; desiccation or predation along fence lines and other barriers to movement; and decreased survivorship from the installation of additional light sources, resulting in increased light pollution to Covered Species habitat. Incidental take of individuals of the Covered Species may also occur from the Covered Activities in the form of pursue, catch, capture, or attempt to do so from capture and relocation attempts as required by this ITP. Relocation could result in mortality, injury, and/or disease transmission to Covered Species. The areas where authorized take of the Covered Species is expected to occur are within the Biological Study Area (BSA) of approximately 602.04 acres and includes the section of I-680 between PM 10.6 to PM 21.4 in Alameda County and between PM 0.0 to 0.5 in Contra Costa County (Figure 1, Project Location Map) (collectively, the Project Area).

The Project is expected to impact 15 acres of suitable habitat for Covered Species (Figure 2, Physical Impacts Map and Figure 3, Proposed Isolux Values Map) within the I-680 corridor. Direct impacts from ground disturbance to California tiger salamander (CTS) suitable habitat include the permanent loss of 5.40 acres, temporary loss of 3.70 acres (2.79 acres from short term temporary impacts, 0.91 acres from extended temporary impacts). Indirect impacts are expected to 5.90 acres of California tiger salamander suitable habitat from additional artificial light source installations (Figure 3, Proposed Isolux Values Map). Direct impacts to Alameda whipsnake (AWS) suitable habitat include the permanent loss of 5.40 acres and the temporary loss 3.70 acres within the I-680 corridor. All direct impacts to AWS suitable habitat are concurrent with and overlap CTS suitable 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; stress and abnormal behavior resulting from additional light pollution, stress resulting from construction noise and vibrations and from capture and relocation; temporary and permanent habitat loss; and long-term effects due to increased pollution, increased competition for food and space, and increased vulnerability to predation.

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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 capture and relocation 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, staging and parking, and noise and vibration generating activities that may cause take. CDFW's issuance of this ITP and Permittee's authorization to take the Covered Species are subject to Permittee's compliance with and implementation of the following Conditions of Approval:

1. **Legal Compliance:** Permittee shall comply with all applicable federal, state, and local laws in existence on the effective date of this ITP or adopted thereafter.
2. **CEQA Compliance:** Permittee shall implement and adhere to the mitigation measures related to the Covered Species in the Biological Resources section of Interstate 680 Express Lanes from State Route 84 to Alcosta Boulevard Project Mitigated Negative Declaration (MND) (SCH No. 2020050579) adopted by the California Department of Transportation and Alameda County Transportation Commission on November 10, 2020 as lead agency for the Project pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), unless otherwise conditioned herein.
3. **ESA Compliance:** Permittee shall implement and adhere to the terms and conditions related to the Covered Species in the Formal Consultation on the Interstate 680 Express Lanes from State Route 84 to Alcosta Boulevard Project, Alameda and Contra Costa County, California (Caltrans EA 04-0Q3001) (Biological Opinion 08ESMF00-2020-F-0749) for the Project pursuant to the Federal Endangered Species Act (ESA) dated October 30, 2020. For purposes of this ITP, where the terms and conditions for the Covered Species in the federal authorization are less protective of the Covered Species or otherwise conflict with this ITP, the conditions of approval set forth in this ITP shall control.
4. **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

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Mitigation Monitoring and Reporting Program (MMRP), which is included as Attachment 1 to this ITP.

5. General Provisions:

- 5.1. 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.
- 5.2. Designated Biologist(s). Permittee shall submit to CDFW in writing the name, qualifications, business address, and contact information of a 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.
- 5.3. 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.
 - 5.3.1. Permittee shall accommodate the Designated Biologist in the performance of his/her duties. If the Designated Biologist is unable to comply with the ITP due to a conflict with Project construction, then the Designated Biologist shall notify the CDFW representative immediately.
- 5.4. Education Program. Permittee shall conduct an education program for all persons employed or otherwise working in the Project Area before performing any work. The program shall consist of a presentation from the Designated Biologist that includes a discussion of the biology and general behavior of the Covered Species, information about the distribution and habitat needs of the Covered Species, sensitivity of the Covered Species to human activities, its status pursuant to CESA including legal protection, recovery efforts, penalties for violations and Project-specific protective measures described in this ITP. Permittee shall provide interpretation for non-English speaking workers, and the same instruction shall be provided to any new workers before they are authorized to perform work in the Project Area. Permittee shall prepare

and distribute wallet-sized cards or a fact sheet handout containing this information for workers to carry in the Project Area. Upon completion of the program, employees shall sign a form stating they attended the program and understand all protection measures. This training shall be repeated at least once annually for long-term and/or permanent employees that will be conducting work in the Project Area. The pamphlet and sign in sheet shall be submitted to CDFW upon request and included in the Annual and Final Construction Reports as described in the conditions of this ITP.

- 5.5. Construction Monitoring Notebook. The Designated Biologist shall maintain a construction-monitoring notebook on-site throughout the construction period, which shall include a copy of this ITP with attachments and a list of signatures of all personnel who have successfully completed the education program. Permittee shall ensure a copy of the construction-monitoring notebook is available for review at the Project site upon request by CDFW.
- 5.6. Erosion Control. Erosion and sediment control measures shall be installed prior to earth-moving Covered Activities. Permittee shall utilize erosion control measures throughout all phases of the Project where sediment runoff from exposed slopes could leave the Project Area and/or enter a drainage, stream, or ponded area. No phase of the Project that may cause the introduction of sediments into a drainage, stream or ponded area may be started if that phase and its associated erosion control measures cannot be completed prior to the onset of a storm. Permittee shall consult 72-hour weather forecasts from the National Weather Service prior to the startup of any phase of the Project that may result in sediment runoff to a drainage, stream, or ponded area. The Designated Biologist shall monitor erosion control measures before, during, and after each storm event and Permittee shall repair and/or replace ineffective measures immediately. Following completion of the Project, Permittee shall implement erosion control measures for all disturbed areas, which may include reseeding using a noxious weed-free locally native seed mix, hydroseeding, jute matting, or tackifying agents to stabilize soils and dust control.
- 5.7. Erosion Control Materials. Permittee shall prohibit use of erosion control materials potentially harmful to Covered Species, such as plastic or mono-filament netting (erosion control matting, geo-textile material and rock slope protection filter fabric) or similar material, in potential Covered Species' habitat. Tightly woven silt fencing material or woven organic materials such as coir logs (without mono-filament netting) shall be permitted.
- 5.8. Dogs Prohibition. Permittee shall prohibit domestic dogs from the Project Area and site access routes during Covered Activities, except those in the possession of local, state, or federal law enforcement officials.
- 5.9. 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.

- 5.10. 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.
- 5.11. Project Access. Project-related personnel shall access the Project Area using existing routes, or routes identified in the Project Description and shall not cross Covered Species' habitat outside of or en route to the Project Area. Permittee shall restrict Project-related vehicle traffic to established roads, staging, and parking areas. 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.
- 5.12. Staging Areas. Permittee shall confine all Project-related parking, storage areas, laydown sites, equipment storage, and any other surface-disturbing activities to the locations noted in the ITP application with the exception that any staging area cannot occur within 250 feet of a water feature or burrows and dens, unless otherwise approved by CDFW. In addition, all staging areas must be surrounded by exclusionary fencing as specified in Condition of Approval 7.6. Permittee shall not use or cross Covered Species' habitat outside of the marked Project staging area.
- 5.13. Equipment Washing Station and Sanitization. All equipment shall be washed or sanitized prior to entering the Project Area. Staging areas shall be equipped with wash stations to prevent the spread of invasive species and disease from areas outside the Project boundaries.
- 5.14. 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.
- 5.15. CDFW Access. Permittee shall provide CDFW staff with reasonable access to the Project and mitigation lands under Permittee control and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in this ITP.

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- 5.16. Construction Schedule. Permittee shall submit a final construction schedule to CDFW within 14 calendar days prior to the start of Project construction activities. The construction schedule shall identify the approximate beginning and completion date of Project activities. During the Project construction period, Permittee shall notify CDFW of any major changes in the construction schedule at least seven (7) days prior to the change being implemented.
- 5.17. Refuse Removal. Throughout the course of the Project and upon completion of Covered Activities, Permittee shall remove from the Project Area and properly dispose of all trash, debris, 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.
- 5.18. Temporary Impact Criteria. To be considered a temporary impact, all temporary impacts must meet the following criteria: (1) recontouring, replanting and seeding of each temporary impact area shall occur by October 31 of the year of the impact, and no additional ground disturbing activities shall occur; (2) if the impact area is within 1,000 feet of an aquatic feature, all work shall be completed within this area and exclusion fencing shall be removed by October 15 of the same calendar year, allowing the Covered Species unrestricted access between upland and aquatic habitat; and (3) temporary impact sites have achieved vegetation success as noted in Condition of Approval 8.6. Impacts that do not meet these criteria will require additional mitigation and an amendment to this ITP shall be required.

6. Monitoring, Notification and Reporting Provisions:

- 6.1. Notification Before Commencement. The Designated Representative shall notify CDFW 14 calendar days before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities.
- 6.2. Notification of Non-compliance. The designated representative or Designated Biologist 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 or Designated Biologist shall report any non-compliance with this ITP to CDFW within 24 hours.
- 6.3. 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

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Biologist shall prepare daily written observation and inspection records summarizing the following: a) oversight activities and compliance inspections, b) observations of Covered Species and their sign, c) survey results, and d) monitoring activities required by this ITP. The Designated Biologist shall conduct compliance inspections a minimum of twice per week during periods of inactivity and after clearing, grubbing, and grading are completed.

- 6.4. Monthly Compliance Report. The designated representative or Designated Biologist shall compile the observation and inspection records identified in Condition of Approval 5.5 into a Monthly 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. Monthly Compliance Reports shall detail Project impacts in acres, separated into permanent and temporary impacts. The reports shall: (1) identify and describe the temporary and permanent impacts to date; (2) describe the location, acres, and type of restoration actions that have occurred; and (3) include all monitoring information required by Condition of Approval 8.6. Monthly 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 Robert Stanley (Robert.Stanley@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.
- 6.5. CNDDDB Observations. The Designated Biologist shall submit all observations of Covered Species to CDFW's California Natural Diversity Database (CNDDDB) within 30 calendar days of the observation and the Designated Biologist shall include copies of the submitted forms with the next Monthly Compliance Report, Annual Construction Report or Final Construction Report, whichever is submitted first relative to the observation.
- 6.6. Annual and Final Construction Reports. No later than 30 days after completion of the Project each year the Permittee shall provide CDFW with an Annual or Final Construction Report. The Designated Biologist shall prepare the Final Construction Report which shall include, at a minimum: (1) a summary of all Monthly Compliance Reports; (2) a copy of the table in the MMRP with notes showing when each of the mitigation measures was implemented; (3) all available information about Project-related incidental take of the Covered Species; (4) information about other Project impacts on the Covered Species; (5) beginning and ending dates of Covered Activities; (6) an assessment of the effectiveness of this ITP's Conditions of Approval in minimizing and fully mitigating Project impacts of the taking on Covered Species; (7) recommendations on how mitigation measures might be changed to more

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effectively minimize take and mitigate the impacts of future Projects on the Covered Species; (8) Final Isolux Diagram and Lighting Impact Analysis; and (9) any other pertinent information.

- 6.7. Notification of Take or Injury. Permittee shall immediately notify the Designated Biologist if a Covered Species is taken or injured by a Project-related activity, or if a Covered Species is otherwise found dead or injured within the vicinity of the Project. The Designated Biologist or Designated Representative shall provide initial notification using the contact information below within 24 hours. The initial notification to CDFW shall include information regarding the location, species, and number of animals taken or injured and the ITP Number. Following initial notification, Permittee shall send CDFW a written report within two business days. The report shall include the date and time of the finding or incident, location of the animal or carcass, and if possible provide a photograph, explanation as to cause of take or injury, and any other pertinent information. The report and notification shall also be submitted to CDFW's regional representative Robert Stanley, (707) 339-6534 or Robert.Stanley@wildlife.ca.gov.

7. Take Minimization Measures:

The following requirements are intended to ensure the minimization of incidental take of Covered Species in the Project Area during Covered Activities. Permittee shall implement and adhere to the following conditions to minimize take of Covered Species:

General Species Avoidance and Minimization

- 7.1. Time of Day Work Restriction. Any activity that will occur in a previously paved area may occur at any time provided all applicable avoidance and minimization measures for Covered Species are adhered to as specified in this ITP. For any activity that will clear, grub, remove existing unpaved features, excavate embankments, construct drainage features or excavate soil that is not covered by a paved area, the Permittee shall terminate all Covered Activities 30 minutes before sunset and shall not resume Covered Activities until 30 minutes after sunrise unless approved by the CDFW Representative in writing. The Permittee shall use sunrise and sunset times established by the National Oceanic and Atmospheric Administration for determining when Covered Activities shall terminate and resume;
<https://gml.noaa.gov/grad/solcalc/sunrise.html>.
- 7.2. Seasonal Work Window. Permittee shall limit ground-disturbing Covered Activities involving construction and heavy equipment use in upland dispersal habitat (such as excavation, grading, trenching and fill activities) to the period between April 15 and October 31, until the expiration of this ITP.

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- 7.3. Vehicle Speed Limit. All vehicles shall be limited to a speed limit of 20 mph. or less on main roads and access roads at all times within the boundary limits of active construction.
- 7.4. Daily Clearance Surveys. The Designated Biologist will conduct daily pre-construction surveys prior to the initiation of work each day within the Project Area throughout the course of the Project. The Designated Biologist shall walk the Project Area and access roads while conducting visual encounter surveys in areas subject to vegetation clearing, grubbing, grading, cut and fill, or other ground disturbing activities. The surveys shall also include the inspection of parked vehicles or equipment prior to their use each day. The Permittee will ensure that a Designated Biologist inspects all staged materials each morning prior to the initiation of construction activities involving disturbance of material piles. Survey notes shall be kept and recorded as specified in this ITP. During active construction multiple biologists shall be required on-site, when needed in circumstances of line-of-sight constraints to ensure all active equipment has a Designated Biologist within view of the Covered Activities.
- 7.5. Environmentally Sensitive Areas (ESA). Prior to the start of construction, for each season, ESA fencing consisting of fencing approved in advance by CDFW and the ESA fencing plan shall be submitted to CDFW for review and CDFW approval 30 days prior to the initiation of construction. The ESA plan shall be clearly delineated using high-visibility orange fencing as the primary option to protect sensitive habitats, other options approved in advance by CDFW may be authorized. The ESA signification system will remain in place throughout the duration of the Project. It may be removed during the wet season (and subsequently re-installed) if needed to prevent materials from being washed away. The final Project plans will depict all locations where ESA signification will be installed and how it will be installed. The bid solicitation package special provisions will clearly describe acceptable signification material and prohibited construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within ESAs. ESA materials shall be installed as directed by a Designated Biologist and maintained in good repair throughout the Project as needed.
- 7.6. Covered Species Exclusionary Fencing. An exclusionary fencing system plan shall be submitted for CDFW review and approval 30 days prior to the initiation of construction each season. All applicable exclusionary fencing systems shall not have gaps or breaks and shall be required to encompass access roads, staging areas and active construction areas as to not allow outside access of Covered Species into work areas. The plan submission shall be in map form illustrating the proposed alignment and shall include design drawings and a list of the materials to be employed. All material stockpiles and Project related equipment must be stored within the fenced staging area when not in use.

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Immediately following the conclusion of vegetation clearing described below, the staging area, access roads and Project Area shall be checked for Covered Species and shall have exclusionary fencing installed around each area. The fencing will be standard silt fencing at least forty-two (42) inches in height that will be trenched a minimum of four (4) inches into the soil. The soil will then be compacted against both sides of the fence to prevent wildlife from gaining access underneath. The stakes will be placed on the Project side of the fence. No gaps or holes are permitted in the fencing system. Alternative exclusion systems such as PVC panels may also be employed upon written request and approval to CDFW. One-way doors may also be utilized, provided they are routinely monitored on a weekly basis for functionality and approved in advance by CDFW.

Any vegetation outside the direct area of fencing within a three (3) foot perimeter must be cleared to a height of six (6) inches and maintained throughout the duration of this Project at this height. The vegetation within these areas shall be mowed or trimmed to a height of six inches, using hand tools, weed-trimmers, and mowers as necessary. No heavy motorized equipment (i.e., tractor) may be employed for vegetation removal without approval from CDFW. A Designated Biologist must be present during all vegetation removal activities.

Prior to the initiation of construction each day, the fence shall be inspected daily by a Designated Biologist or biological monitor for holes, gaps, or access points, which shall be repaired upon discovery. The area inside the fence shall also be inspected for trapped Covered Species prior to the initiation of construction each day. If a Covered Species is discovered the Covered Species shall be monitored until it has left the fenced area on its own accord, no work shall occur during this period. If the Covered Species does not leave on its own accord the Designated Biologist with the appropriate approvals may relocate the species in accordance with Condition of Approval 7.14 for Covered Species Relocation.

- 7.7. Wildlife Exclusion Fencing Refuge Areas/Cover Boards. The Permittee shall provide refuge opportunities in the form of cover boards (at least 2-foot x 2-foot plywood minimum size), along the Covered Species exclusion fence on both sides of the fence. Permittee shall submit a design of the barrier and refuge opportunities no less than 30 days prior to the initiation of construction each season to CDFW for approval. The Designated Biologist shall inspect refuge areas each morning, as well as, during and after rain events. Covered Species within the interior fence should be given the ability to leave on their own accord before active relocation is attempted. All Species found shall be identified, recorded and submitted to CDFW in the Final Construction Report and reported to CNDDDB as specified in this ITP. All wildlife shall be relocated to a safe location outside the Project Area.
- 7.8. Trench Escape and Inspection. To prevent inadvertent entrapment of Covered Species, the Designated Biologist (s) shall oversee the covering of all trenches,

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holes, sumps, or other excavations with a 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 Covered Species 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 prior to beginning Covered Activities and immediately before trenches, holes, sumps, or other excavations are back-filled, the Designated Biologist(s) and/or construction foreman/manager shall thoroughly inspect them for Covered Species. Trenches, holes, sumps, or other excavations that are covered long-term shall be inspected at the beginning of each working day to ensure inadvertent entrapment has not occurred. Permittee shall cease all Covered Activities in the vicinity and notify the Designated Biologist(s) immediately if any worker discovers that Covered Species have become trapped. If at any time trapped Covered Species are discovered by the Designated Biologist or anyone else, the Designated Biologist capture and relocate the Covered Species to a safe nearby location per Condition of Approval 7.14. If open holes, sumps, trenches or excavations cannot be covered then a temporary barrier shall be installed around any trenches, holes, sumps, or other excavations to prevent Covered Species from becoming trapped.

- 7.9. Inspection of Pipes and Culverts. All construction pipes, culverts, or similar structures that are stored at the Project site for one or more overnight periods shall be securely capped prior to storage or inspected by the Designated Biologist before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a Covered Species is discovered inside a pipe by the Designated Biologist or anyone else, the Covered Species shall be allowed to leave its own accord, or if it can be safely captured, it shall be relocated by the Designated Biologist to a suitable location outside of the Project Area and in accordance with the Condition of Approval 7.14.
- 7.10. Vehicle and Equipment Inspection. Workers shall inspect for Covered Species under vehicles and equipment before the vehicles and equipment are moved. If a Covered Species is present, the worker shall wait for the Covered Species to move unimpeded to a safe location. Alternatively, the Permittee shall contact the Designated Biologist to determine if the Designated Biologist can safely move the Covered Species in Accordance with Condition of Approval 7.14.
- 7.11. Mark Covered Species Nest/Dens/Burrows. Nests, Dens, Burrows or suitable areas for Covered Species subterranean activities shall be marked by the Designated Biologist within a reasonable dispersal distance of the Project Area to alert biological and work crews to their presence each season using flags, exclusion fencing or a reasonable method accepted in advance by CDFW. Where feasible, an avoidance buffer of 250 feet (the distance may be altered at the discretion of the Designated Biologist in consultation with CDFW) or greater around areas shall be maintained using wildlife exclusion fencing or environmentally sensitive area fencing as specified

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in this Permit. Nests, Dens and Burrows in areas of impact shall be excavated by hand to allow the detection and relocation of Covered Species as necessary. Alterations to the hand excavation requirement of dens to employ camera scopes or to utilize powered equipment to remove soil may be authorized by written request to and written approval from CDFW.

- 7.12. Remove Temporary Flagging, Fencing, and Barriers. Permittee shall remove all temporary flagging, fencing, erosion control, temporary work platforms, temporary access road materials, and/or barriers from the Project Area and vicinity of the stream upon completion of Project activities.
- 7.13. Prohibit Introduction of Invasive Species and Disease. 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. Prevention best management practices (BMP) and guidelines for invasive plants can be found on the Cal-IPC's website at: <http://www.cal-ipc.org/ip/prevention/index.php> and for invasive mussels and aquatic species can be found at the Stop Aquatic Hitchhikers website: <http://www.protectyourwaters.net/>.
- 7.14. Covered Species Relocation Plan. The Designated Biologist (s) shall prepare a Covered Species Relocation Plan (Relocation Plan). The Relocation Plan shall include, but not be limited to, pre-activity survey methodology appropriate for the season, hand excavation, capture, handling, and relocation methods; and identification of where the individuals will be relocated to. The relocation areas shall be identified by the Designated Biologist(s) based upon best suitable habitat available and time of year and approved by CDFW prior to the start of Covered Activities. The Relocation Plan shall be submitted to CDFW for approval prior to the beginning of Covered Activities. Covered Activities anywhere within the Project Area may not proceed until the Relocation Plan is approved in writing by CDFW. Only the approved Designated Biologist(s) are authorized to capture and handle the Covered Species.
- 7.15. Covered Species Handling and Injury. If an injured Covered Species is found during the Project term, the Designated Biologist shall evaluate the individual and immediately contact the CDFW regional representative, via email and telephone, to discuss the next steps. If the CDFW regional representative cannot be contacted immediately, the Designated Biologist shall place the injured individual in a safe and shaded location. Any injured California tiger salamanders shall be placed in a shaded container and kept moist, and shall be handled and assessed according to the *Restraint and Handling of Live Amphibians*, USGS, National Wildlife Health Center (D. Earl Greene, ARMI SOP NO. 100; 16 February 2001; http://www.nwhc.usgs.gov/publications/amphibian_research_procedures/handling_and_restraint.jsp). If the CDFW Regional Representative is not available or has not responded within 15 minutes of initial attempts, then the following steps shall be taken:

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7.15.1. If the injury to the Covered Species is minor or healing and the individual is likely to survive, the individual shall be released immediately (see Condition of Approval 6.7).

7.15.2. If it is determined that the Covered Species has major or serious injuries as result of Project-related activities, then the Designated Biologist shall immediately take it to the Lindsay Wildlife Museum or another CDFW-approved facility. If taken into captivity the individual shall remain in captivity and not be released into the wild unless it has been kept in quarantine and the release is authorized by CDFW and the U.S. Fish and Wildlife Service. Permittee shall bear any costs associated with the care or treatment of such injured Covered Species. The circumstances of the injury, the procedure followed and the final disposition of the injured animal shall be documented in a written incident report as described in Condition of Approval 6.7.

7.16. Trash Capture Devices Installation Review. Prior to the installation of any trash capture devices, the Permittee shall ensure that any drainage system capable of providing Covered Species connectivity for wildlife movement is not blocked by the installation of the trash capture devices. All proposals for trash capture devices installation shall be submitted a minimum of 60 days prior to the initiation of construction. The submission should include a description of the location and images of the culvert inlet and outlet as well as a description of the potential for wildlife to use the structure. Alternative methods of analysis such as game trail cameras may also be employed.

California Tiger Salamander Avoidance and Minimization

7.17. Temporary Project Lighting. All temporary Project lighting associated with construction staging areas, access routes and construction sites shall be shut down upon the completion of work each day and not used as security lighting overnight. Temporary Project lighting on the surface of the road shall be directed towards the road surface and shall not be directed into areas outside of the road surface to prevent additional light pollution and disruption of nocturnal wildlife activity. Baffles, adjusted mast heights and adjusted reach arms and other various shading devices may be employed to prevent additional light pollution.

7.18. Permanent Project Lighting. All new installations or replacements of previously existing light emitters or bulb types for permanent use within the Project site shall have an output of 2,700 kelvin or less, shall be fitted with back-shielding, and the surface area of the light shall be directed so that it does not project into natural lands. The Isolux Analysis baseline of current lighting conditions is illustrated in Figure 3, Proposed Isolux Values Map, that establishes the baseline existing conditions and the proposed lighting output of new and replacement emitters over the surface area of natural lands. An Isolux analysis shall also be required upon completion of

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construction to determine actual light levels. All permanent lighting shall be directed towards the surface of the road and employ adjusted mast height and adjusted reach arm lengths to reduce light pollution into natural lands. Additional mitigation may be required by CDFW if an increase in lighting output is determined to occur onto natural lands greater than the initial projections noted in Figure 3, Proposed Isolux Values Map, when compared to the Final Isolux Diagram that measures the real-world lighting outputs. Within 60 days of project completion, as part of the Final Construction Report, a final Isolux diagram shall be submitted that illustrates field verified lighting impacts.

7.19. Weather Restrictions. Permittee shall monitor the National Weather Service 72-hour forecast for the Project Area. Covered Activities shall cease if there is a 40 percent chance of precipitation or greater in the National Weather Service 72-hour forecast for the Project Area. Covered Activities may continue 24 hours after the rain ceases if there is less than a 40 percent chance of precipitation in the 24-hour forecast.

7.20. Notification of Non-Native Tiger Salamanders or Hybrids. The Designated Biologist shall immediately notify CDFW if a suspected non-native barred tiger salamander (*Ambystoma tigrinum mavortium*) or California tiger salamander/non-native hybrid is found within the Project Area within 24 hours by calling CDFW's regional representative. The Designated Biologist shall not release any suspected non-native or hybrid salamanders back to the wild until directed to do so by CDFW. The Designated Biologist shall follow the Covered Species Handling and Injury Condition of Approval outlined in this ITP (Condition of Approval 7.15).

Alameda Whipsnake Avoidance and Minimization

7.21. Access Roads. The Designated Biologist shall inspect the entire access route for Covered Species each day when Covered Activities are occurring between April 15 and October 31 of each year. Inspections shall occur in the morning prior to Project related vehicle access (unless Project related vehicle traffic occurs prior to sunrise) and in the afternoon prior to Project related vehicles exiting the Project Area. If a Designated Biologist finds a dead Covered Species on the access route, Permittee shall consult with CDFW to determine appropriate contingency measures and shall implement the measures determined appropriate by CDFW.

8. Habitat Management Land Acquisition and Restoration:

CDFW has determined that permanent protection and perpetual 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 will impact the habitat, and CDFW's estimate of the acreage required to provide for adequate compensation.

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To meet this requirement, the Permittee shall either purchase 27.20 acres of Covered Species credits from a CDFW-approved mitigation or conservation bank (Condition of Approval 8.2) OR shall provide for both the permanent protection and management of 27.20 acres of Habitat Management (HM) lands pursuant to Condition of Approval 8.3 below and the calculation and deposit of the management funds pursuant to Condition of Approval 8.4 below. If stacked, dual species acres or credits from a CDFW-approved mitigation or conservation bank or HM Lands are not available to support both Covered Species (CTS and AWS), then a total of 27.20 acres of CTS credits and 19.99 acres of AWS credits are required. Permanent protection and funding for perpetual management of compensatory 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 9 below for all uncompleted obligations. The Permittee shall also restore on-site 3.70 acres of temporarily impacted Covered Species habitat pursuant to Condition of Approval 8.6 below.

8.1. Cost Estimates. CDFW has estimated the cost of acquisition, protection, and perpetual management of the HM lands and restoration of temporarily disturbed habitat as follows:

- 8.1.1. Land acquisition costs for HM lands identified in Condition of Approval 8.3 below, estimated at \$44,011.00 per acre; for 27.20 acres: **\$1,197,099.00**. Land acquisition costs are estimated using local fair market current value for lands with habitat values meeting mitigation requirements;
- 8.1.2. Start-up costs for HM lands, including initial site protection and enhancement costs as described in Condition of Approval 8.3.5 below, estimated at **\$64,860.00**;
- 8.1.3. Interim management period funding as described in Condition of Approval 8.3.6 below, estimated at **\$71,220.00**;
- 8.1.4. Long-term management funding as described in Condition of Approval 8.4 below, estimated at \$9,523.00 per acre; for 27.20 acres: **\$259,026.00**. Long-term management funding is estimated initially for the purpose of providing Security to ensure implementation of HM lands management;
- 8.1.5. Related transaction fees including but not limited to 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 as described in Condition of Approval 8.5, estimated at **\$3,000.00**;

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8.1.6. Restoration of on-site temporary effects to Covered Species habitat as described in Condition of Approval 8.6, calculated at \$3,900.00 per acre; for 3.70 acres: **\$14,430.00.**

8.2. Covered Species Credits. Permittee shall purchase 27.20 acres of Covered Species Credits from a CDFW-approved mitigation or conservation bank prior to initiating Covered Activities, or no later than 18 months from the issuance of this ITP if Security is provided pursuant to Condition of Approval 9 below. If stacked, dual species Covered Species Credits from a CDFW-approved mitigation or conservation bank are not available a total of 27.20 acres of CTS credits and 19.99 acres of AWS credits are required prior to initiating Covered Activities, or no later than 18 months from the issuance of this ITP if Security is provided pursuant to Condition of Approval 9 below.

OR:

8.3. Habitat Acquisition and Protection. To provide for the acquisition and perpetual protection and management of the HM lands, the Permittee shall:

8.3.1. Fee Title/Conservation Easement. Transfer fee title to the HM lands to CDFW pursuant to terms approved in writing by CDFW. Alternatively, CDFW, in its sole discretion, may authorize a governmental entity, special district, non-profit organization, for-profit entity, person, or another entity to hold title to and manage the property provided that the district, organization, entity, or person meets the requirements of Government Code sections 65965-65968, as amended. If CDFW does not hold fee title to the HM lands, CDFW shall act as grantee for a conservation easement over the HM lands or shall, in its sole discretion, approve a non-profit entity, public agency, or Native American tribe to act as grantee for a conservation easement over the HM lands provided that the entity, agency, or tribe meets the requirements of Civil Code section 815.3. If CDFW does not hold the conservation easement, CDFW shall be expressly named in the conservation easement as a third-party beneficiary. The Permittee shall obtain CDFW written approval of any conservation easement before its execution or recordation. No conservation easement shall be approved by CDFW unless it complies with Government Code sections 65965-65968, as amended and includes provisions expressly addressing Government Code sections 65966(j) and 65967(e);

8.3.2. HM Lands Approval. Obtain CDFW written approval of the HM lands before acquisition and/or transfer of the land by submitting, at least three months before acquisition and/or transfer of the HM lands, a formal Proposed Lands for Acquisition Form (see Attachment 3B) identifying the land to be purchased or property interest conveyed to an approved entity as mitigation for the Project's impacts on Covered Species;

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- 8.3.3. HM Lands Documentation. Provide a recent preliminary title report, initial hazardous materials survey report, and other necessary documents (see Attachment 3A). All documents conveying the HM lands and all conditions of title are subject to the approval of CDFW, and if applicable, the Wildlife Conservation Board and the Department of General Services;
- 8.3.4. Land Manager. Designate both an interim and long-term land manager approved by CDFW. The interim and long-term land managers may, but need not, be the same. The interim and/or long-term land managers may be the landowner or another party. Documents related to land management shall identify both the interim and long-term land managers. Permittee shall notify CDFW of any subsequent changes in the land manager within 30 days of the change. If CDFW will hold fee title to the mitigation land, CDFW will also act as both the interim and long-term land manager unless otherwise specified.
- 8.3.5. Start-up Activities. Provide for the implementation of start-up activities, including the initial site protection and enhancement of HM lands, once the HM lands have been approved by CDFW. Start-up activities include, at a minimum: (1) preparing a final management plan for CDFW approval (see [Endowments and Mitigation Land Management \(ca.gov\)](#)); (2) conducting a baseline biological assessment and land survey report within four months of recording or transfer; (3) developing and transferring Geographic Information Systems (GIS) data if applicable; (4) establishing initial fencing; (5) conducting litter removal; (6) conducting initial habitat restoration or enhancement, if applicable; and (7) installing signage;
- 8.3.6. Interim Management (Initial and Capital). Provide for the interim management of the HM lands. The Permittee shall ensure that the interim land manager implements the interim management of the HM lands as described in the final management plan and conservation easement approved by CDFW. The interim management period shall be a minimum of three years from the date of HM land acquisition and protection and full funding of the Endowment and includes expected management following start-up activities. Interim management period activities described in the final management plan shall include fence repair, continuing trash removal, site monitoring, vegetation and invasive species management, annual protocol-level Covered Species surveys, and rangeland monitoring. Permittee shall either (1) provide a security to CDFW for the minimum of three years of interim management that the land owner, Permittee, or land manager agrees to manage and pay for at their own expense, (2) establish an escrow account with written instructions approved in advance in writing by CDFW to pay the land manager annually in advance, or (3) establish a short-term enhancement account with CDFW or a CDFW-approved entity for payment to the land manager.

- 8.4. Endowment Fund. If the Permittee will permanently protect and perpetually manage compensatory habitat as described in Condition of Approval 8.3, The Permittee shall ensure that the HM lands are perpetually managed, maintained, and monitored by the long-term land manager as described in this ITP, the conservation easement, and the final management plan approved by CDFW. After obtaining CDFW approval of the HM lands, Permittee shall provide long-term management funding for the perpetual management of the HM lands by establishing a long-term management fund (Endowment). The Endowment is a sum of money, held in a CDFW-approved fund that provides funds for the perpetual management, maintenance, monitoring, and other activities on the HM lands consistent with the management plan(s) required by Condition of Approval 8.3.5. Endowment as used in this ITP shall refer to the endowment deposit and all interest, dividends, other earnings, additions and appreciation thereon. The Endowment shall be governed by this ITP, Government Code sections 65965-65968, as amended, and Probate Code sections 18501-18510, as amended.

After the interim management period, Permittee shall ensure that the designated long-term land manager implements the management and monitoring of the HM lands according to the final management plan. The long-term land manager shall be obligated to manage and monitor the HM lands in perpetuity to preserve their conservation values in accordance with this ITP, the conservation easement, and the final management plan. Such activities shall be funded through the Endowment.

- 8.4.1. Identify an Endowment Manager. The Endowment shall be held by the Endowment Manager, which shall be either CDFW or another entity qualified pursuant to Government Code sections 65965-65968, as amended. Permittee shall submit to CDFW a written proposal that includes: (i) the name of the proposed Endowment Manager; (ii) whether the proposed Endowment Manager is a governmental entity, special district, nonprofit organization, community foundation, or congressionally chartered foundation; (iii) whether the proposed Endowment Manager holds the property or an interest in the property for conservation purposes as required by Government Code section 65968(b)(1) or, in the alternative, the basis for finding that the Project qualifies for an exception pursuant to Government Code section 65968(b)(2); and (iv) a copy of the proposed Endowment Manager's certification pursuant to Government Code section 65968(e). Within thirty days of CDFW's receipt of Permittee's written proposal, CDFW shall inform Permittee in writing if it determines the proposal does not satisfy the requirements of Fish and Game Code section 2081(b)(4) and, if so, shall provide Permittee with a written explanation of the reasons for its determination. If CDFW does not provide Permittee with a written determination within the thirty-day period, the proposal shall be deemed consistent with Section 2081(b)(4).

- 8.4.2. Calculate the Endowment Funds Deposit. After obtaining CDFW written approval of the HM lands, long-term management plan, and Endowment Manager, Permittee shall prepare a Property Analysis Record (PAR) or PAR-equivalent analysis (hereinafter "PAR") to calculate the amount of funding necessary to ensure the long-term management of the HM lands (Endowment Deposit Amount). The Permittee shall submit to CDFW for review and approval the results of the PAR before transferring funds to the Endowment Manager.
- 8.4.2.1. Capitalization Rate and Fees. Permittee shall obtain the capitalization rate from the selected Endowment Manager for use in calculating the PAR and adjust for any additional administrative, periodic, or annual fees.
- 8.4.2.2. Endowment Buffers/Assumptions. Permittee shall include in PAR assumptions the following buffers for endowment establishment and use that will substantially ensure long-term viability and security of the Endowment: 10 Percent Contingency.
- 8.4.2.3. 10 Percent Contingency. A 10 percent contingency shall be added to each endowment calculation to hedge against underestimation of the fund, unanticipated expenditures, inflation, or catastrophic events.
- 8.4.2.4. Three Years Delayed Spending. The endowment shall be established assuming spending will not occur for the first three years after full funding.
- 8.4.2.5. Non-annualized Expenses. For all large capital expenses to occur periodically but not annually such as fence replacement, or payments shall be withheld from the annual disbursement until the year of anticipated need or upon request to Endowment Manager and CDFW.
- 8.4.3. Transfer Long-term Endowment Funds. Permittee shall transfer the long-term endowment funds to the Endowment Manager upon CDFW approval of the Endowment Deposit Amount identified above. The approved Endowment Manager may pool the Endowment with other endowments for the operation, management, and protection of HM lands for local populations of the Covered Species but shall maintain separate accounting for each Endowment. The Endowment Manager shall, at all times, hold and manage the Endowment in compliance with this ITP, Government Code sections 65965-65968, as amended, and Probate Code sections 18501-18510, as amended.
- 8.5. 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.

8.6. On-Site Restoration/Habitat Enhancement Plan for Temporary Impacts. The plan shall be prepared by a Qualified Biologist or Habitat Restoration Specialist and submitted for CDFW review and approval in writing a minimum of 30 days prior to the initiation of construction. The plan shall address restoration or enhancement of at least 3.70 acres of Covered Species Habitat as follows:

- 8.6.1. *Annual Grassland Restoration and Enhancement.* All exposed/disturbed soils left barren of vegetation in areas of temporary impact within the I-680 corridor including staging areas, access roads and upland areas shall be revegetated immediately following work activities. Impacted areas shall be revegetated with native plants and/or saplings, if feasible, or seeded with an erosion control seed mix consisting of native forbs, shrubs, wildflowers, and grasses. Revegetation shall be completed after construction has concluded and as soon as possible after earthmoving activities cease; however, plantings will be most successful if done immediately before and/or during the rainy season. Seeding placed after October 31 shall be applied by hydroseed or fiber rolls. Erosion control blankets with monofilament or woven plastic strands shall not be used. The Annual Grassland section of the restoration and enhancement plan shall note areas of impact and proposed areas of seeding. Submission in the form of a map or figure that outlines areas of impacts and areas of re-seeding should also be included. At the discretion of CDFW, all exposed areas where seeding is unsuccessful after 90 days shall receive appropriate soil preparation and a second application of seeding or mulch as soon as is practical on a day mutually agreed upon with CDFW.
- 8.6.2. *Tree/woody vegetation Restoration and Enhancement Monitoring.* A minimum of 30 days prior to the initiation of construction the Permittee shall submit a tree inventory for proposed removals, trimming and impact along the I-680 corridor in suitable Covered Species habitat. The Permittee shall also provide a Tree Restoration and Enhancement Monitoring Plan 30 days prior to the initiation of construction. The plan shall consist of a planting pallet of native trees that consists of the species of removed trees including but not limited to; Coastal live oak, Valley Oak, Hinds Walnut as well as coyote brush and scrub habitat woody vegetation species. Plantings shall be monitored for a period of five years and shall obtain a success criteria of at least 75% for survivorship for all trees and woody vegetation. If plantings do not achieve 75% success criteria within five years, additional plantings and monitoring years shall be required in consultation with CDFW.
- 8.6.3. *Covered Species Connectivity Monitoring Plan.* A connectivity monitoring plan for Covered Species to address connectivity within the Project Area segment of the I-680 corridor shall be submitted for CDFW review and acceptance. The study should focus on culverts throughout the corridor with the highest potential for Covered Species movement. The study shall monitor the selected culvert

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locations for a period of at least 12 months prior to construction, as feasible and 12 months per culvert location studied after install, or as specified in the connectivity monitoring plan. The study should include proposed fencing array designs, culverts, underpasses or areas of potential connectivity use and a monitoring protocol and the best available science for the Covered Species to ensure proposed retaining walls, k-rail and other proposed anthropogenic improvements do not impede or prevent connectivity.

9. 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 8 that has not been completed before Covered Activities begin. Permittee shall provide Security as follows:

- 9.1. Security Amount. The Security shall be in the amount of **\$1,350,609.00**. This amount is based on the cost estimates identified in Condition of Approval 8.1 above.
- 9.2. Security Form. The Security shall be in the form of an irrevocable letter of credit (see Attachment 4) or another form of Security approved in advance in writing by CDFW's Office of the General Counsel.
- 9.3. Security Timeline. The Security shall be provided to CDFW no later than 30 days before Covered Activities begin.
- 9.4. Security Holder. The Security shall be held by CDFW or in a manner approved in advance in writing by CDFW.
- 9.5. Security Transmittal. If CDFW holds the Security, Permittee shall transmit it to CDFW with a completed Mitigation Payment Transmittal Form (see Attachment 5) or by way of an approved instrument such as escrow, irrevocable letter of credit, or other.
- 9.6. 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.
- 9.7. 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:
 - Written documentation of the acquisition of the HM lands;
 - Copies of all executed and recorded conservation easements;

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INTERSTATE-680 SOUTHBOUND EXPRESS LANE PROJECT

- Written confirmation from the approved Endowment Manager of its receipt of the full Endowment;
- Timely submission of all required reports; and
- Achievement and/or initiation of restoration success criteria and study concepts noted in Condition of Approval 8.6

Even if Security is provided, the Permittee must complete the required acquisition, protection and transfer of all HM lands and record any required conservation easements 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.

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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.

Written notices, reports and other communications relating to this ITP shall be delivered to CDFW by registered first class mail at the following address, or at addresses CDFW may subsequently provide the Permittee. Notices, reports, and other communications shall reference the Project name, Permittee, and ITP Number (2081-2021-019-03) in a cover letter and on any other associated documents.

Original cover with attachment(s) to:

Stephanie Fong, Acting 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:

Robert Stanley, Senior Environmental Scientist (Specialist)
California Department of Fish and Wildlife, Bay Delta Region – 3
2825 Cordelia Road, Suite 100, Fairfield, CA 94534
Telephone (707) 339-6534
Robert.Stanley@wildlife.ca.gov

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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, California Department of Transportation and Alameda County Transportation Commission. (See generally Pub. Resources Code, §§ 21067, 21069). The lead agency's prior environmental review of the Project is set forth in the Interstate 680 Express Lanes from State Route 84 to Alcosta Boulevard Project, Mitigated Negative Declaration (SCH No. 2020050579) dated May 2020 that the California Department of Transportation and Alameda County Transportation Commission adopted for the Interstate 680 Express Lanes from State Route 84 to Alcosta Boulevard Project on November 10, 2020 prepared by the California Department of Transportation and the Alameda County Transportation Commission. At the 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, Interstate 680 Southbound Express Lanes Project, the results of site visits, consultations and meetings, 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.

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Measures include: (1) permanent habitat protection; (2) establishment of avoidance zones; (3) worker education; and (4) Monthly 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 protection and management in perpetuity of 27.20 acres of compensatory habitat that is contiguous with other protected Covered Species habitat and/or is of higher quality 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) This ITP is consistent with any regulations adopted pursuant to Fish and Game Code sections 2112 and 2114;
- (7) Permittee has ensured adequate funding to implement the measures required by this ITP as well as for monitoring compliance with, and the effectiveness of, those measures for the Project; and
- (8) Issuance of this ITP will not jeopardize the continued existence of the Covered Species based on the best scientific and other information reasonably available, and this finding includes consideration of the species' capability to survive and reproduce, and any adverse impacts of the taking on those abilities in light of (1) known population trends; (2) known threats to the species; and (3) reasonably foreseeable impacts on the species from other related Projects and activities. Moreover, CDFW's finding is based, in part, on CDFW's express authority to amend the terms and 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 Physical Impacts Map
FIGURE 3	Proposed Isolux Values Map

ATTACHMENT 1	Mitigation Monitoring and Reporting Program
ATTACHMENT 2A, 2B	Habitat Management Lands Checklist; Proposed Lands for Acquisition Form
ATTACHMENT 3	Letter of Credit Form
ATTACHMENT 4	Mitigation Payment Transmittal Form

ISSUED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

on 10/6/2021 _____.

DocuSigned by:

Stephanie Fong

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Stephanie Fong, Acting 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:

Gary Huisingsh

By: _____

Date: 10/6/2021 _____

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Printed Name: Gary Huisingsh _____

Title: Deputy Executive Director of Projects _____

Incidental Take Permit
No. 2081-2021-019-033

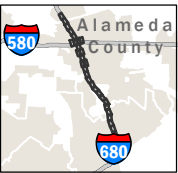
CALTRANS – DISTRICT 4 IN ASSOCIATION WITH ALAMEDA COUNTY TRANSPORTATION COMMISSION
INTERSTATE-680 SOUTHBOUND EXPRESS LANE PROJECT





AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

- Biological Study Area
- Wildlife Exclusion Fencing
- Impacts to Special CTS & AWS Habitat
 - Permanent Impact
 - Temporary Impact
- Impacts to Unsuitable Habitat



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
Page 1 of 30



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Feet

Biological Study Area

Wildlife Exclusion Fencing

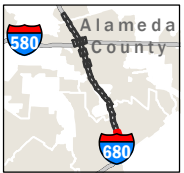
Impacts to Special CTS & AWS Habitat

Permanent Impact

Temporary Impact

Impacts to Unsuitable Habitat

AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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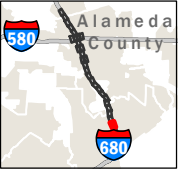


FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
Page 3 of 30



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Feet

Biological Study Area

Wildlife Exclusion Fencing

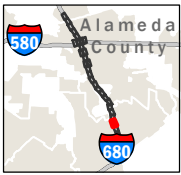
Impacts to Special CTS & AWS Habitat

Permanent Impact

Temporary Impact

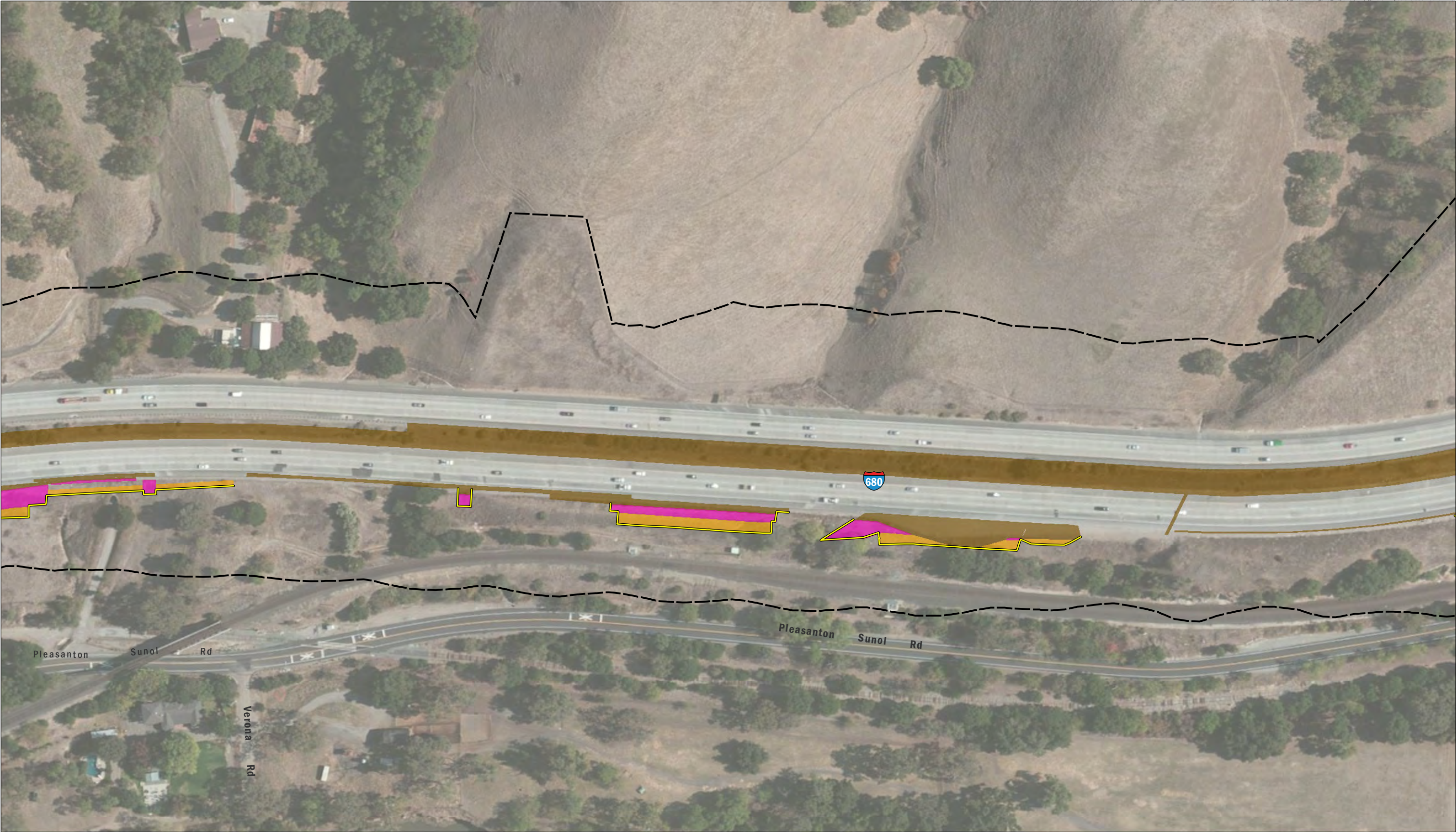
Impacts to Unsuitable Habitat

AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties



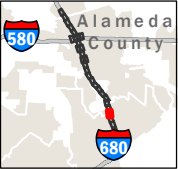
Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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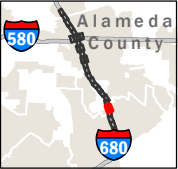
AECOM
Interstate 680 Express Lanes From
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Alameda and Contra Costa Counties

- Biological Study Area
- Wildlife Exclusion Fencing
- Impacts to Special CTS & AWS Habitat**
 Permanent Impact
 Temporary Impact
- Impacts to Unsuitable Habitat



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
Page 5 of 30





Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)



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Feet

 Biological Study Area

 Wildlife Exclusion Fencing

Impacts to Special CTS & AWS Habitat

 Permanent Impact

 Temporary Impact

 Impacts to Unsuitable Habitat

AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

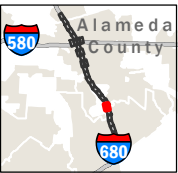


FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
Page 7 of 30



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)



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Biological Study Area

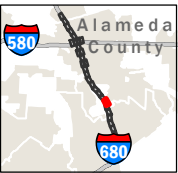
Wildlife Exclusion Fencing

Impacts to Special CTS & AWS Habitat

Permanent Impact

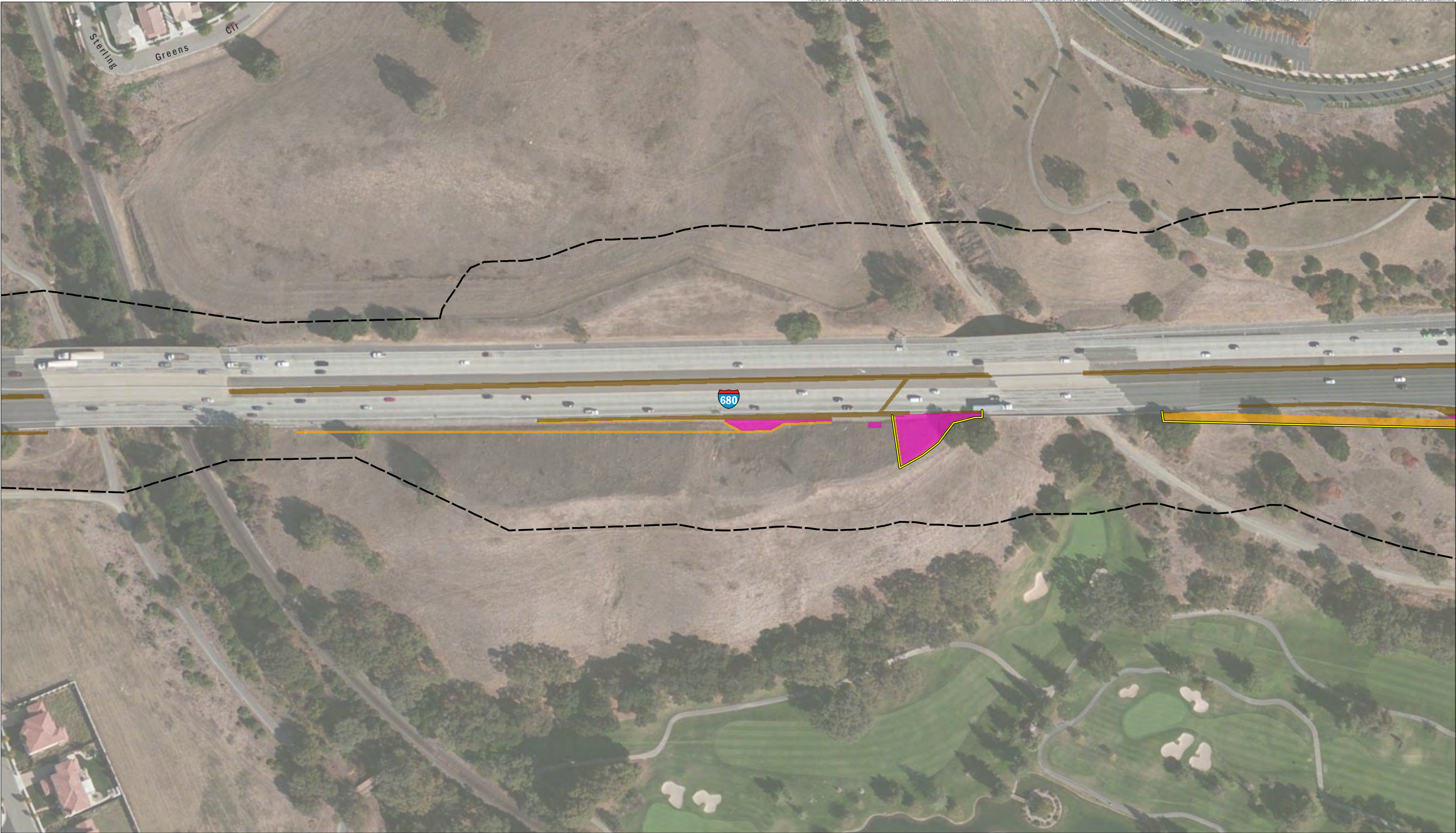
Temporary Impact

Impacts to Unsuitable Habitat




AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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Feet


 Biological Study Area

 Wildlife Exclusion Fencing

Impacts to Special CTS & AWS Habitat

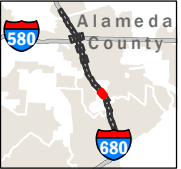
 Permanent Impact

 Temporary Impact

 Impacts to Unsuitable Habitat

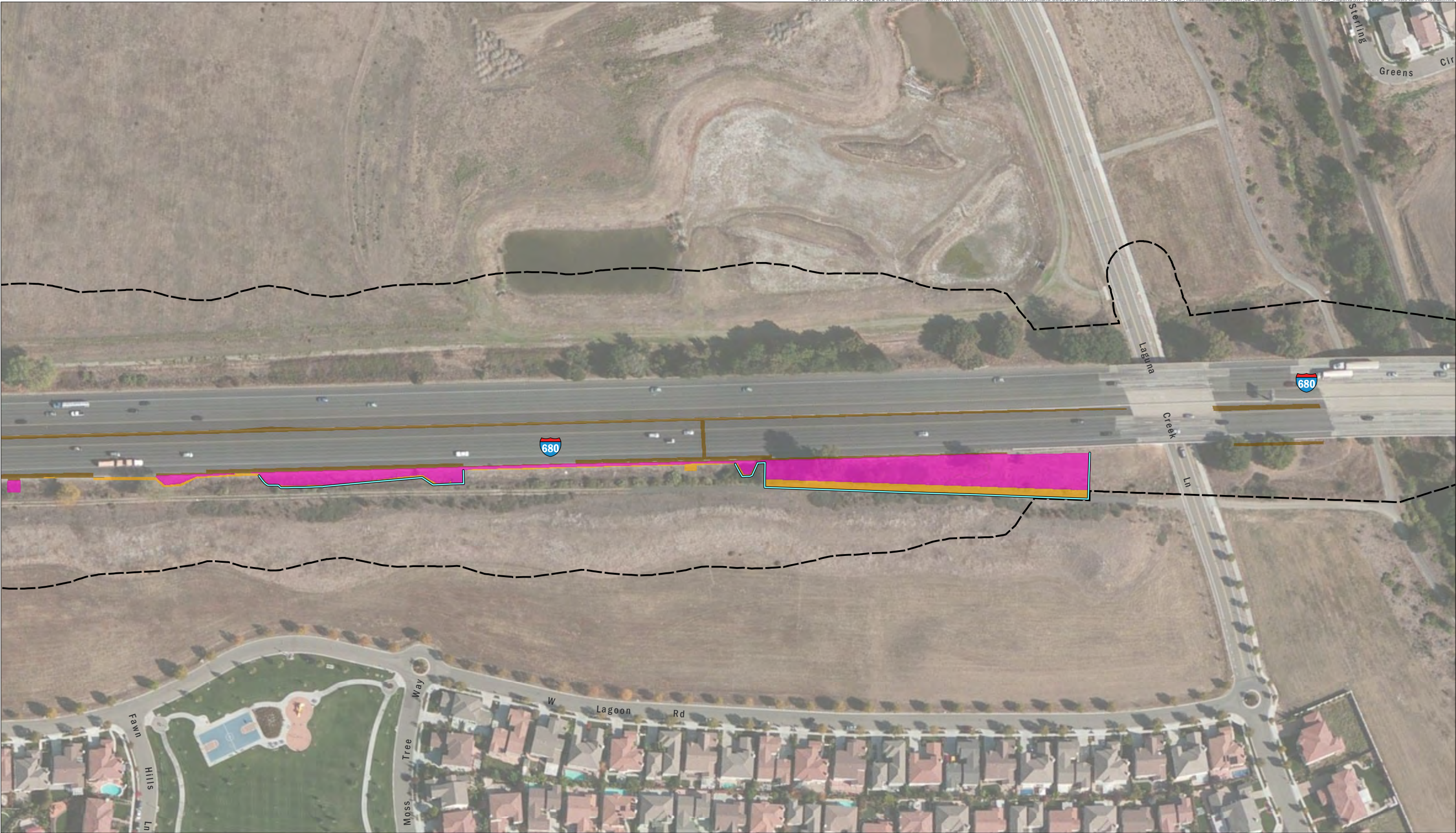
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Interstate 680 Express Lanes From
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Alameda and Contra Costa Counties



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
Page 9 of 30



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)



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Feet

Biological Study Area

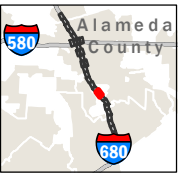
Environmentally Sensitive Area Fencing

Impacts to Special CTS & AWS Habitat

Permanent Impact

Temporary Impact

Impacts to Unsuitable Habitat



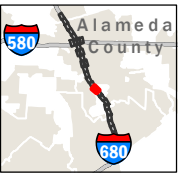
AECOM
Interstate 680 Express Lanes From
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FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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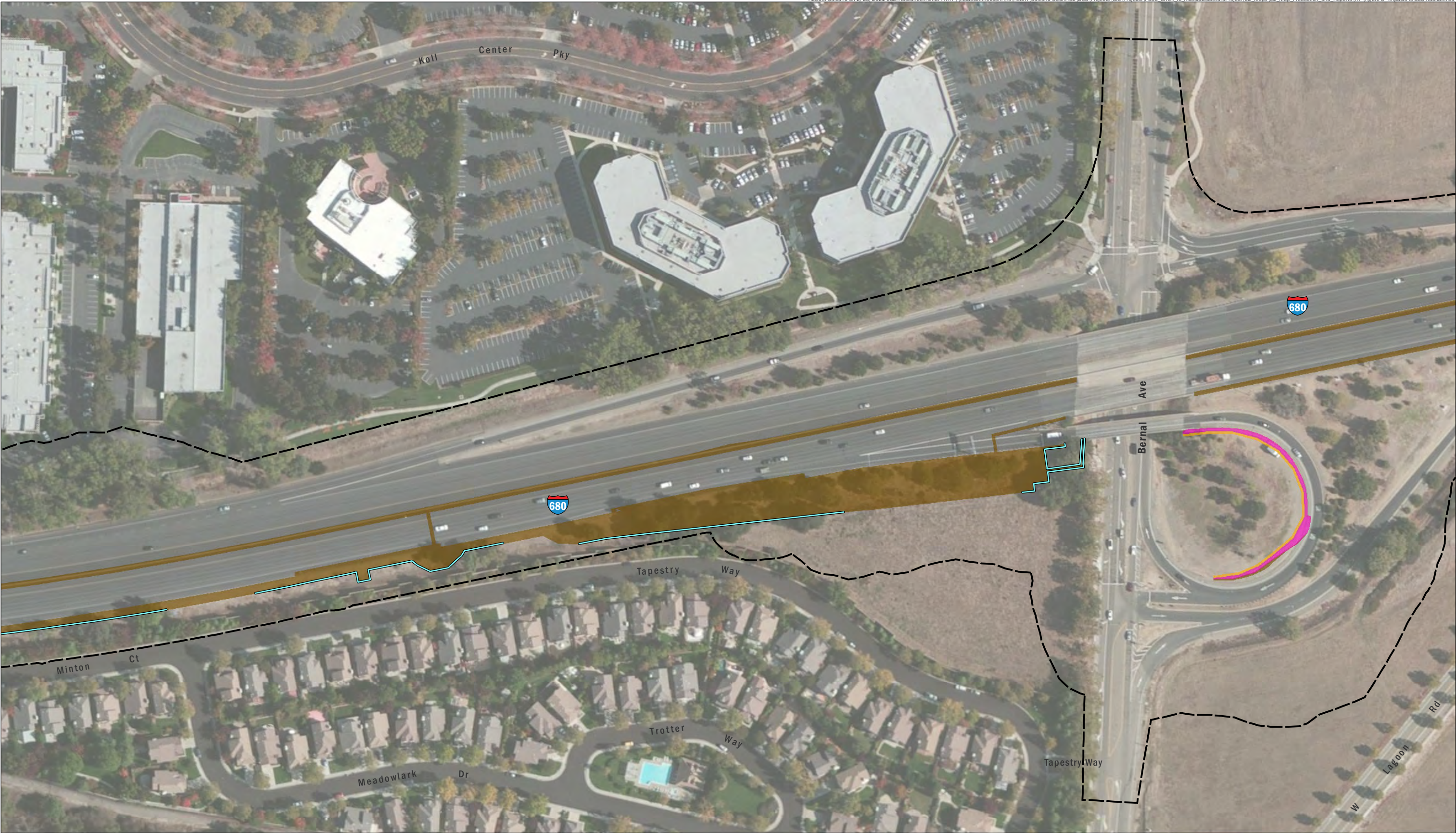
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- Biological Study Area
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Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
Page 11 of 30



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Feet



Biological Study Area



Environmentally Sensitive Area Fencing

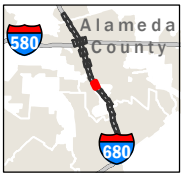
Impacts to Special CTS & AWS Habitat

Permanent Impact

Temporary Impact



Impacts to Unsuitable Habitat



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

FIGURE 8

*Impacts to Habitat
for California State-Listed Species
Page 12 of 30*



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)



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Feet



Biological Study Area



Environmentally Sensitive Area Fencing



Impacts to Unsuitable Habitat

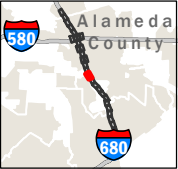


FIGURE 8

Impacts to Habitat
for California State-Listed Species
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Biological Study Area



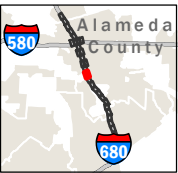
Environmentally Sensitive Area Fencing



Impacts to Unsuitable Habitat

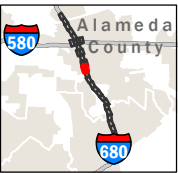
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Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties



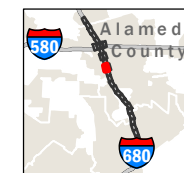
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FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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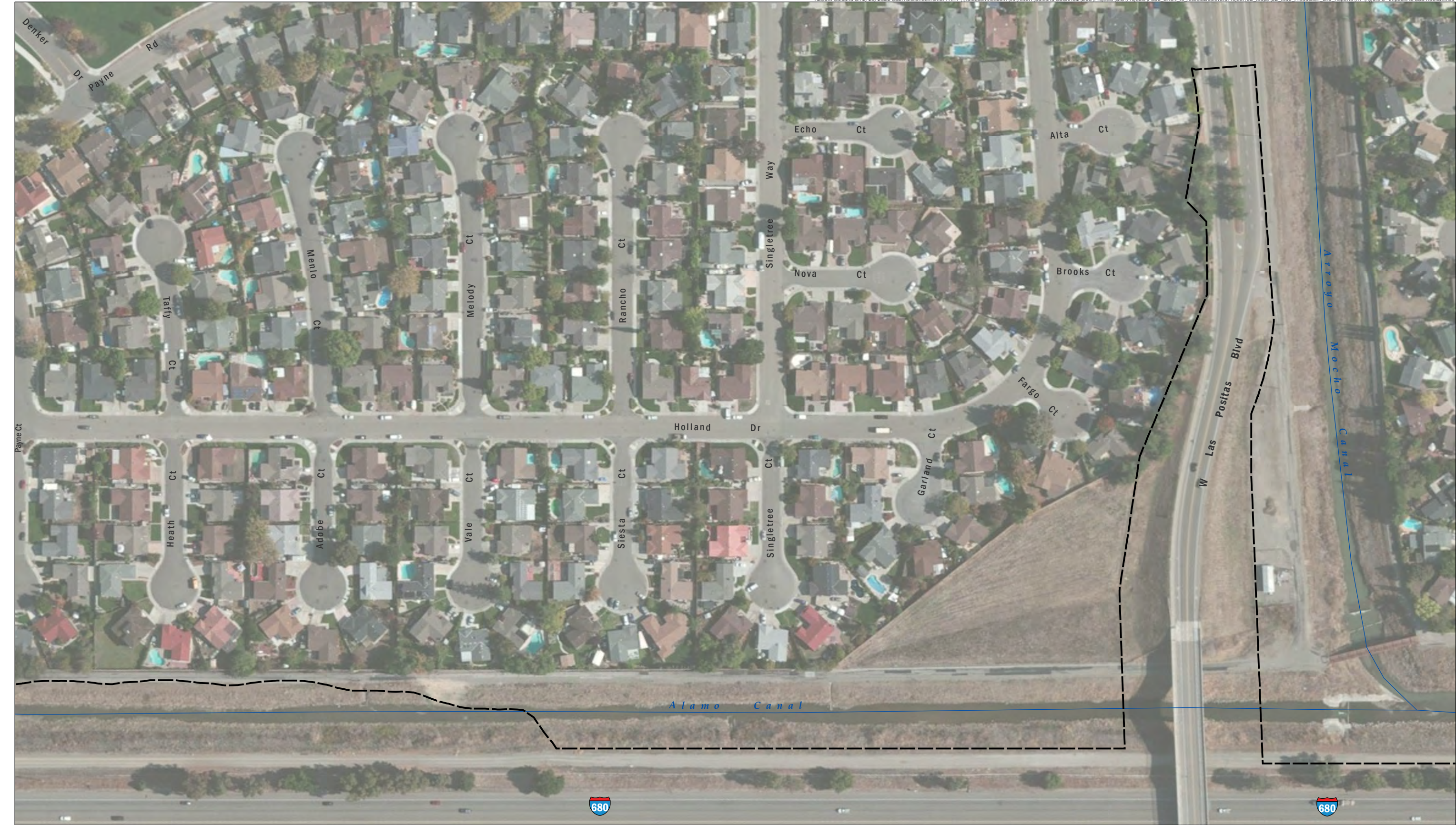


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FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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*Impacts to Habitat
for California State-Listed Species
Page 16 of 30*



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

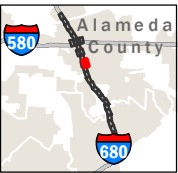


FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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Feet



Biological Study Area



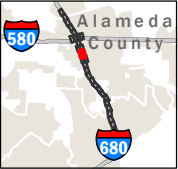
Environmentally Sensitive Area Fencing



Impacts to Unsuitable Habitat

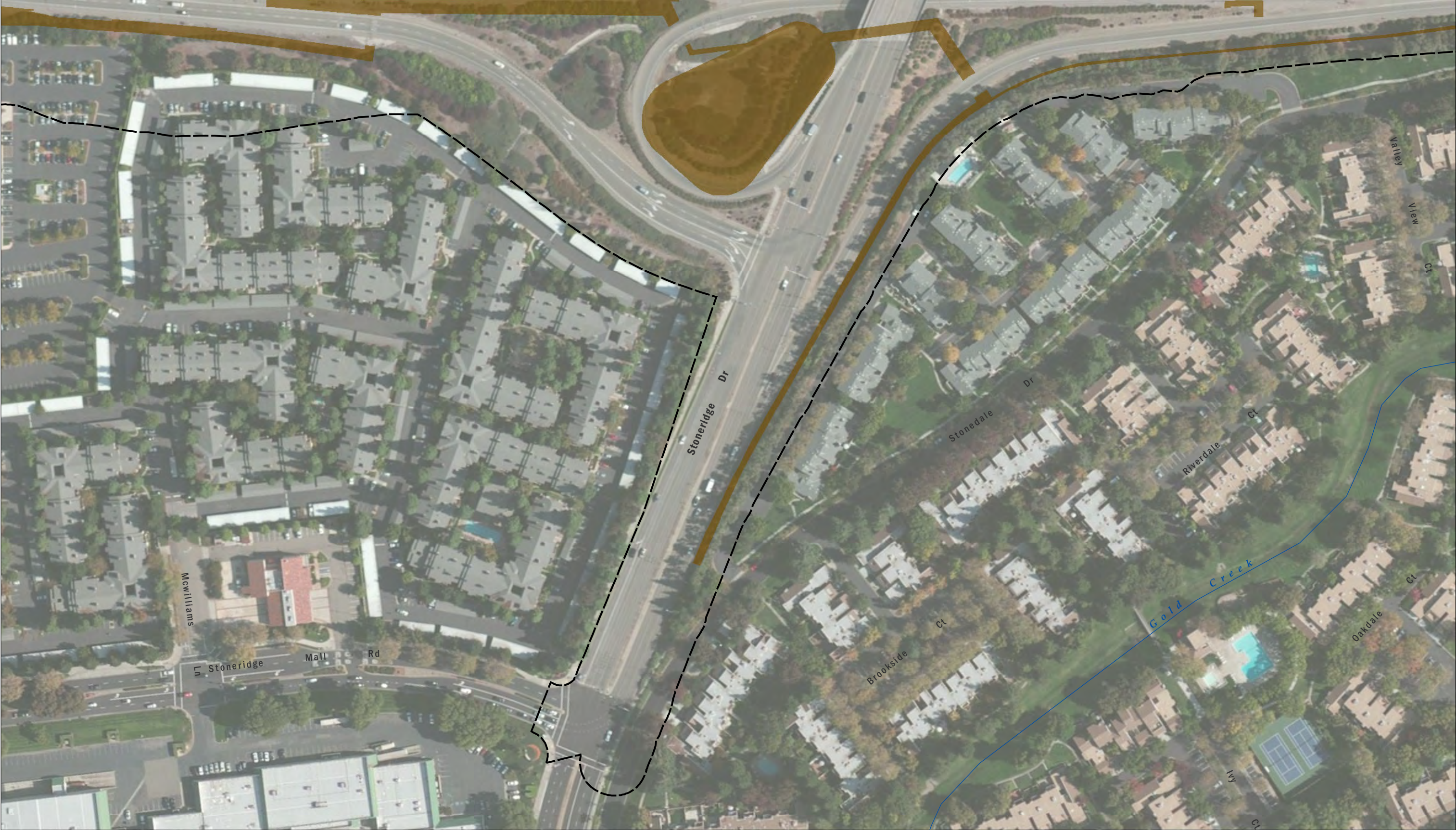
AECOM

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Alameda and Contra Costa Counties



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

FIGURE 8
Impacts to Habitat
for California State-Listed Species
Page 18 of 30



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

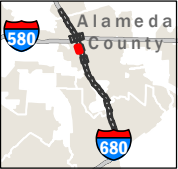
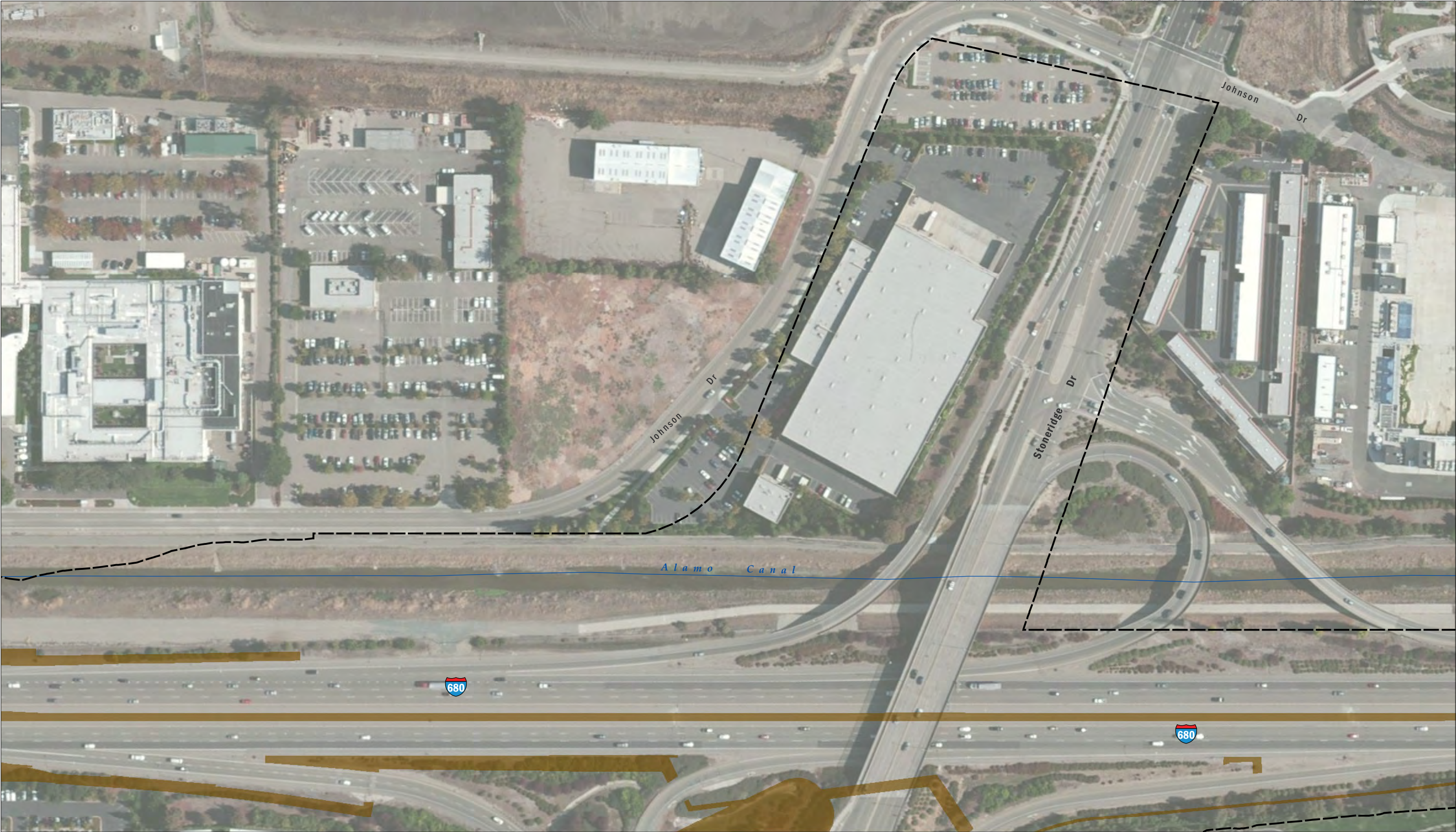


FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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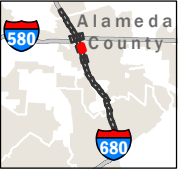


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Biological Study Area

Impacts to Unsuitable Habitat

AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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0 200
Feet



Biological Study Area



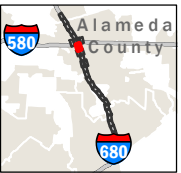
Environmentally Sensitive Area Fencing



Impacts to Unsuitable Habitat

AECOM

Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

FIGURE 8

Impacts to Habitat
for California State-Listed Species
Page 21 of 30



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

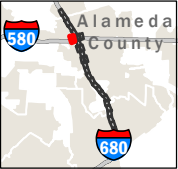
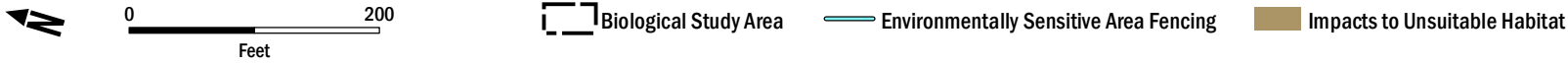
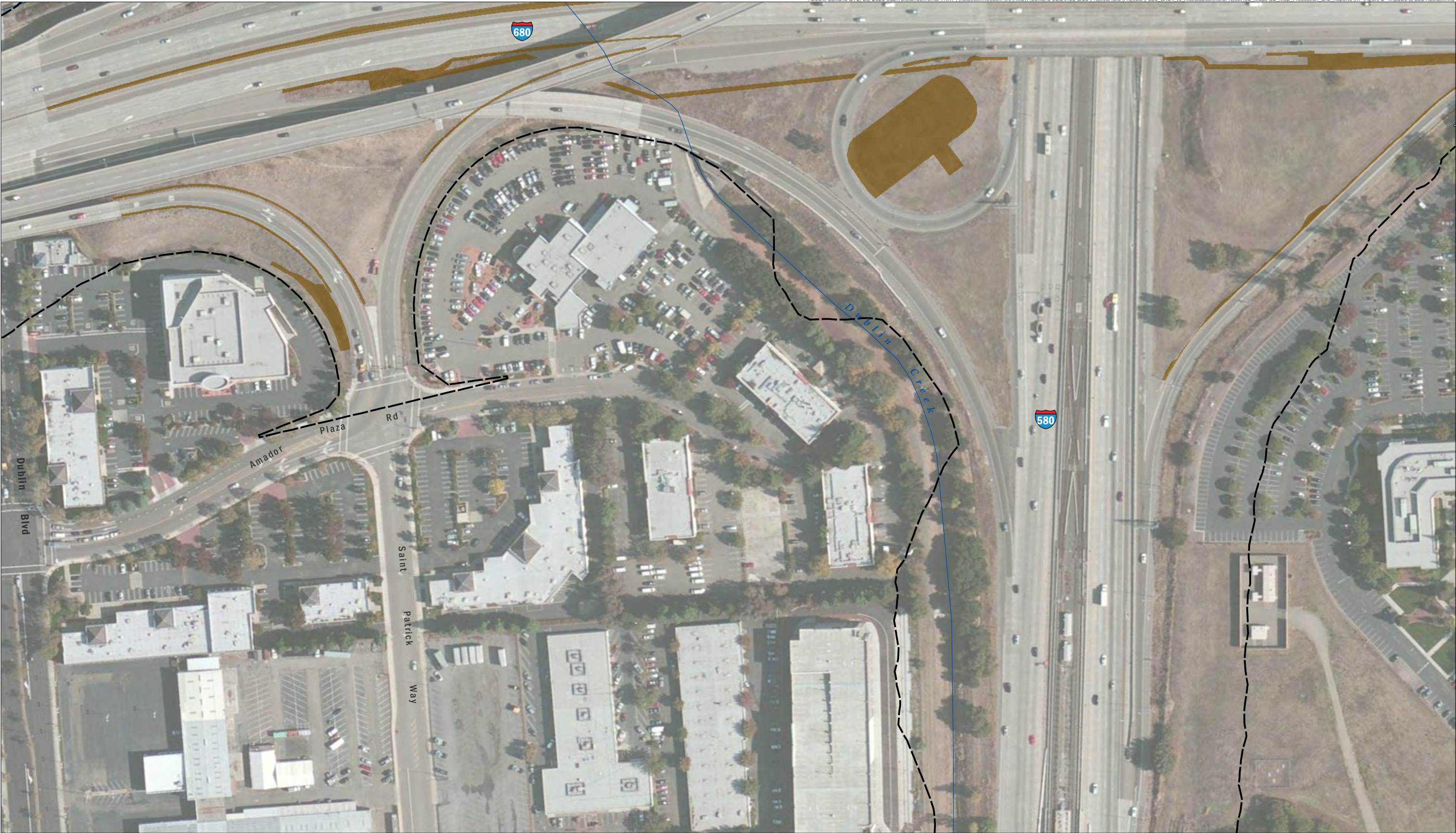
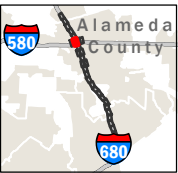


FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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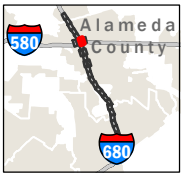


0 200
Feet

Biological Study Area

Impacts to Unsuitable Habitat

AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

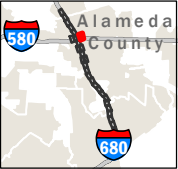
FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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0 200
Feet

Biological Study Area

AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

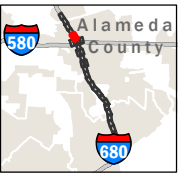
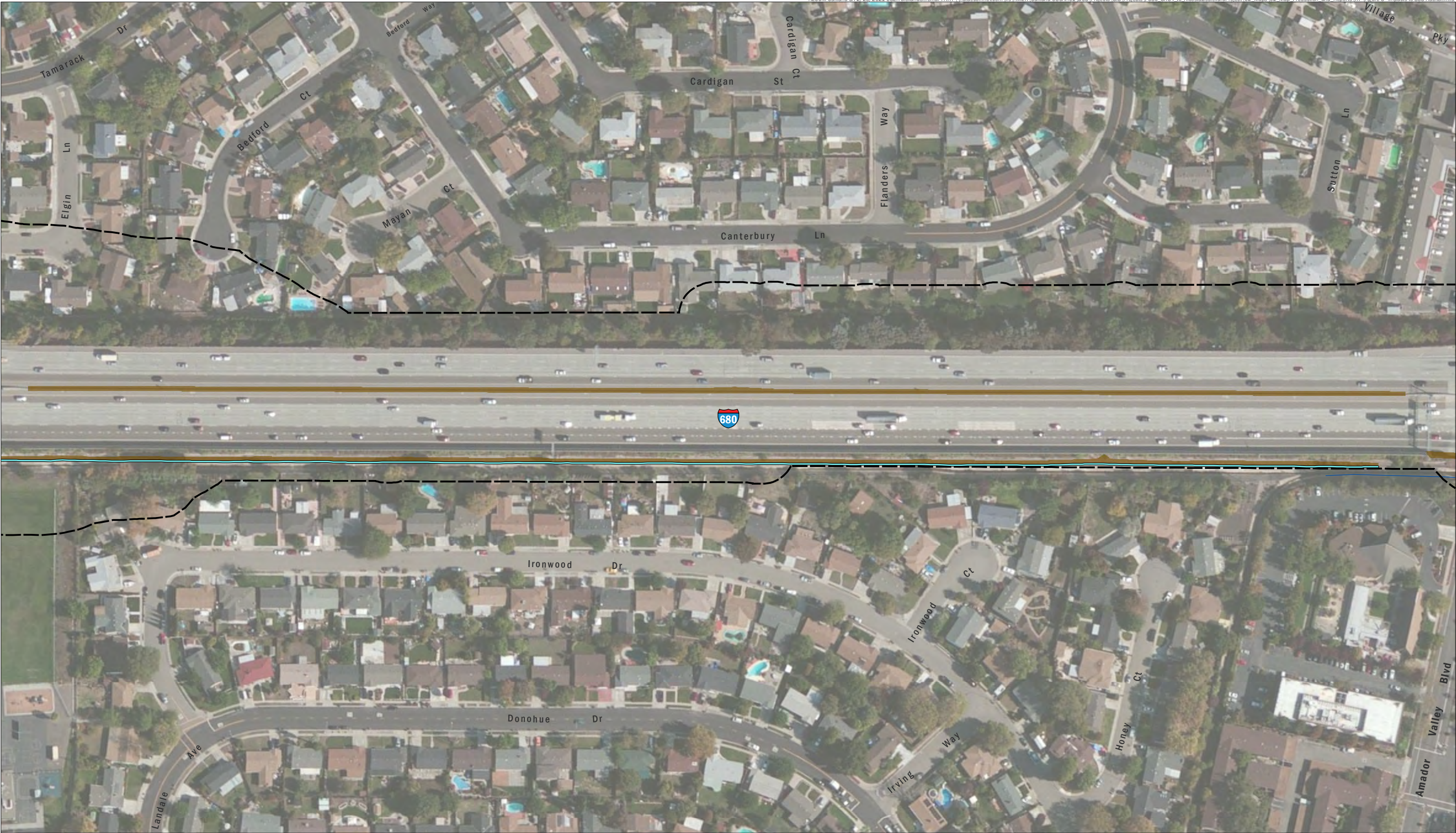


FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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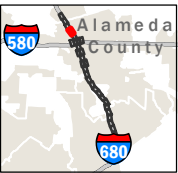
0 200
Feet

Biological Study Area

Environmentally Sensitive Area Fencing

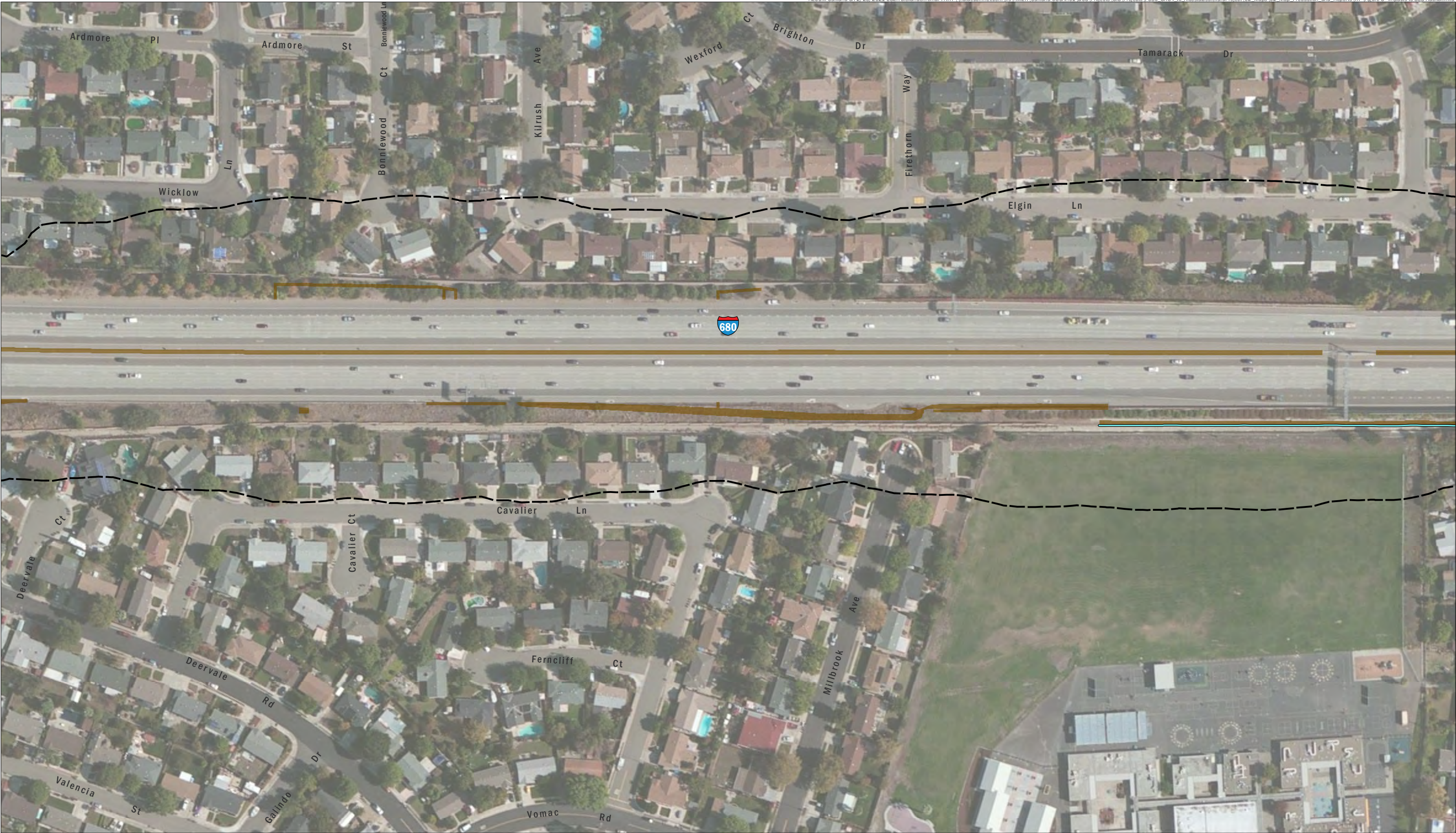
Impacts to Unsuitable Habitat

AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)



0 200
Feet

Biological Study Area

Environmentally Sensitive Area Fencing

Impacts to Unsuitable Habitat

AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

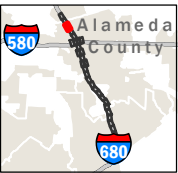


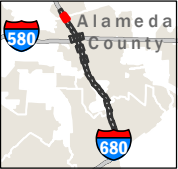
FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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0 200
Feet

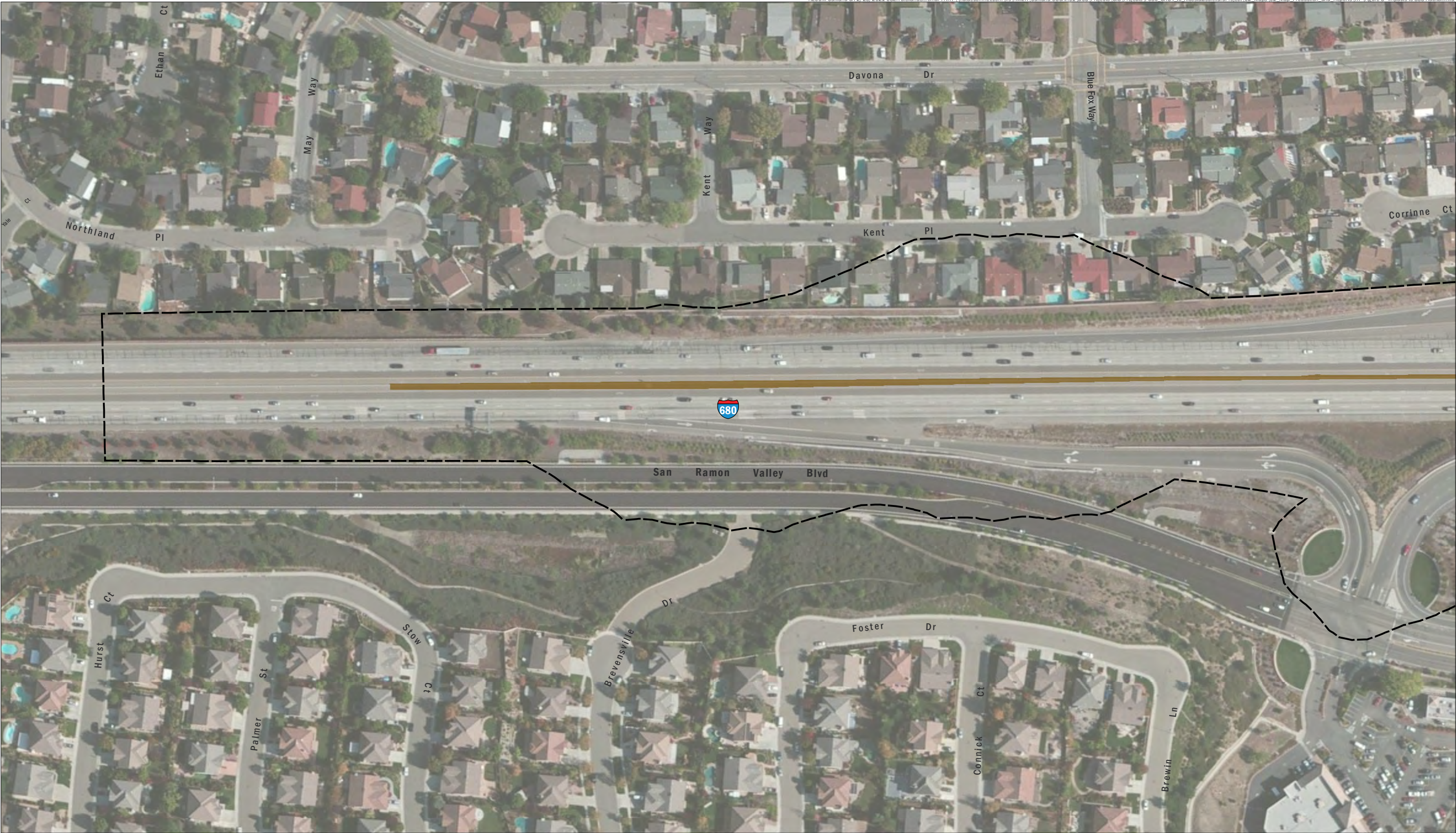
 Biological Study Area  Impacts to Unsuitable Habitat

AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties



Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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Source: AECOM, 2020; ESRI, 2020 (imagery); USDA, 2018; ESRI, 2016 (roads)

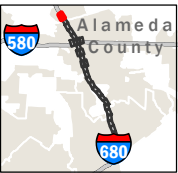
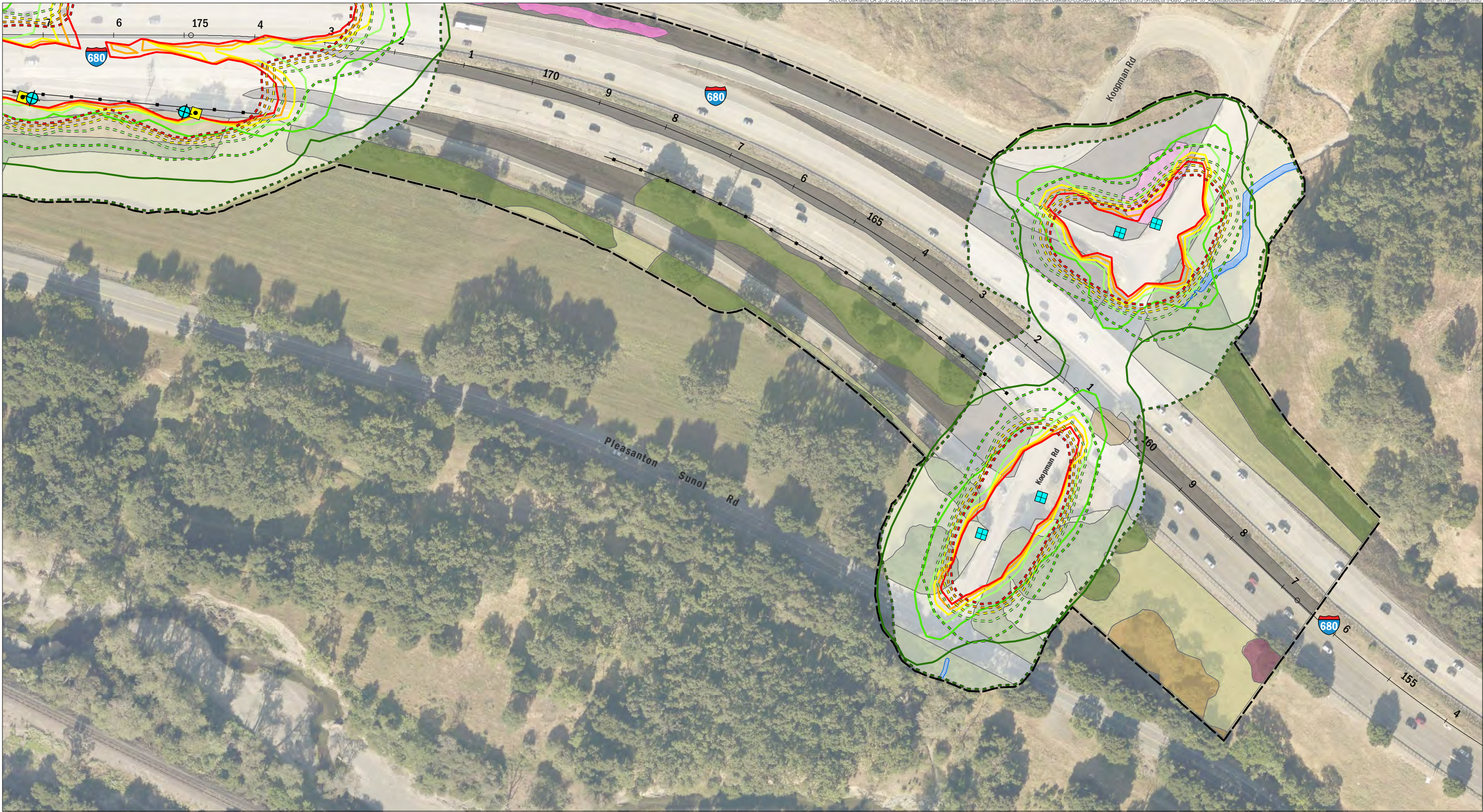


FIGURE 8
*Impacts to Habitat
for California State-Listed Species*
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AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

- Action Area**
- MGS
 - Existing Fixture
 - Added Frontside Shielding
 - Removal
 - Proposed Fixture
 - Backside Shielding

- Existing Lighting Coverage**
- Isoline Lux Values (Existing)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

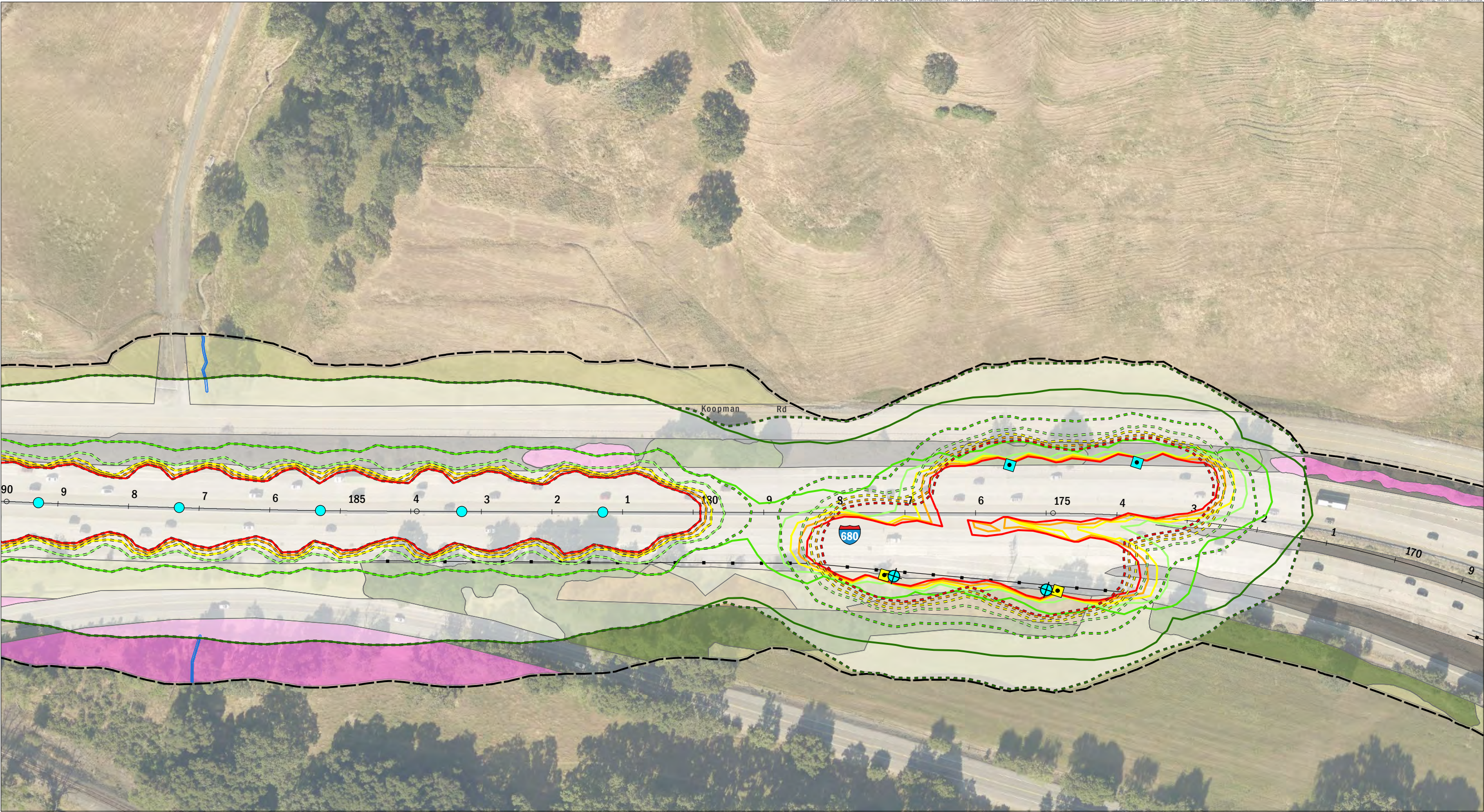
- Isoline Lux Values (Proposed)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Land Cover Types**
- California annual grassland
 - Coast live oak woodland
 - Coyote brush scrub
 - Creek/Riverine

- Developed (100% Transparent)**
- Hinds's walnut and related stands
 - Landscaped
 - Mixed oak woodland
 - Ruderal



FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

- Action Area**
- MGS
- Existing Fixture**
- Added Backside Shielding
 - No Change
 - Removal
- Proposed Fixture**
- Backside Shielding

- Existing Lighting Coverage**
- Isoline Lux Values (Existing)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Isoline Lux Values (Proposed)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

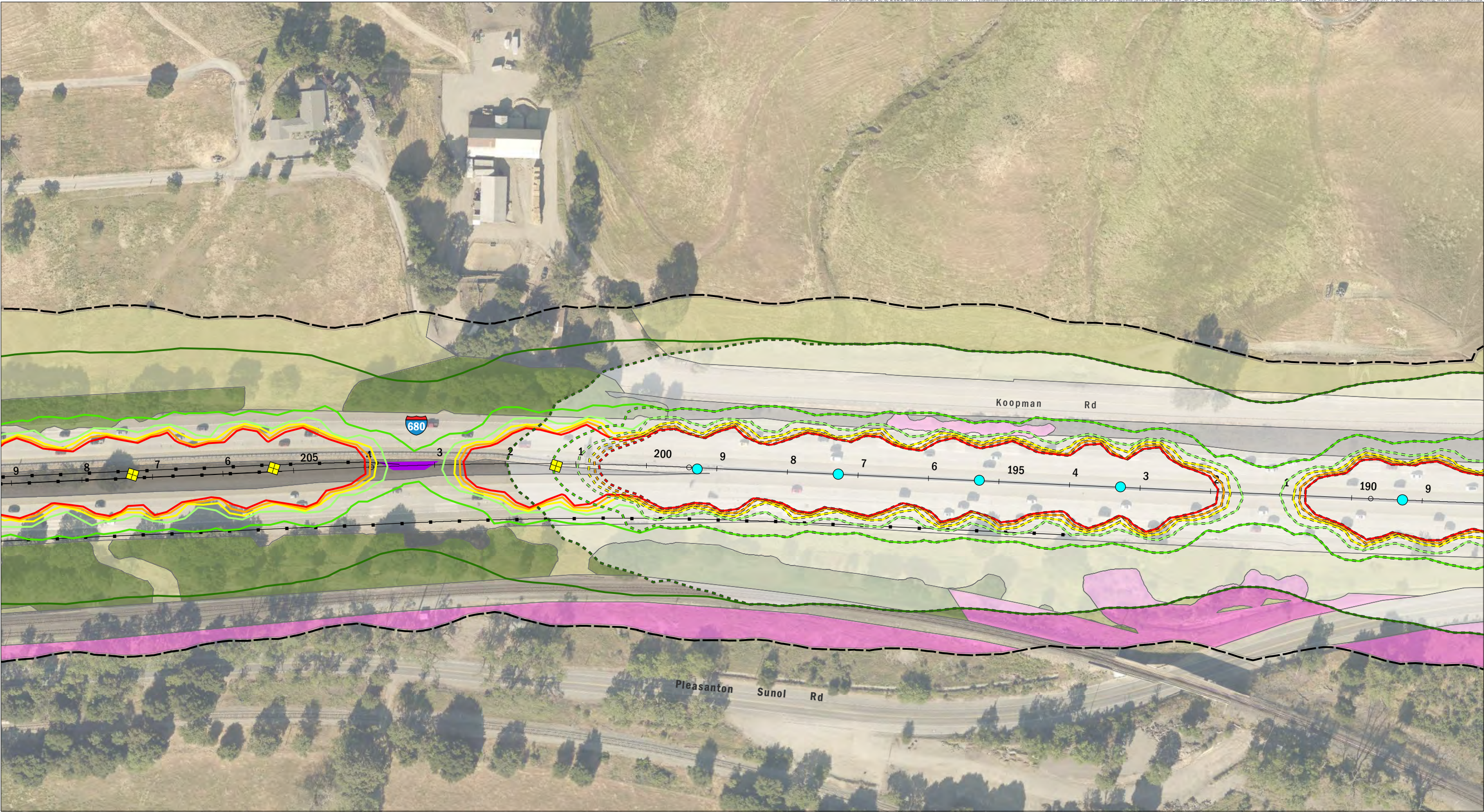
- Land Cover Types**
- California annual grassland
 - Coyote brush scrub
 - Creek/Riverine
 - Developed (100% Transparent)

- Hinds's walnut and related stands
- Landscaped
- Mixed oak woodland
- Ruderal

Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;



FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

- Action Area
- MGS
- Maintenance Vehicle Pullout
- Existing Fixture**
 - No Change
- Proposed Fixture**
 - Frontside Shielding

- Existing Lighting Coverage**
- Isoline Lux Values (Existing)**
 - 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Isoline Lux Values (Proposed)**
 - 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Land Cover Types**
 - California annual grassland
 - Coyote brush scrub
 - Creek/Riverine
 - Developed (100% Transparent)

- Hinds's walnut and related stands
- Landscaped
- Mixed oak woodland
- Ruderal

Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;



FIGURE 9
*Proposed Low Lux
Lighting Isolines -
With Shielding*
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Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

- Action Area**

 - MGS
 - Maintenance Vehicle Pullout

Proposed Fixture

 - Frontside Shielding
- Isoline Lux Values (Proposed)**

 - 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2
- Land Cover Types**

 - California annual grassland
 - Coyote brush scrub
 - Creek/Riverine
 - Developed (100% Transparent)
 - Hinds's walnut and related stands
 - Landscaped
 - Mixed oak woodland
 - Ruderal



FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

- Action Area
- MGS
- Maintenance Vehicle Pullout
- Proposed Fixture**
- Frontside Shielding

- Isoline Lux Values (Proposed)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Land Cover Types**
- California annual grassland
 - Coyote brush scrub
 - Creek/Riverine
 - Developed (100% Transparent)
 - Landscaped
 - Mixed oak woodland
 - Ruderal
 - Valley oak woodland

Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;



FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;



AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

- Action Area**
- Concrete Barrier
 - MGS
 - Maintenance Vehicle Pullout
- Proposed Fixture**
- Frontside Shielding

- Isoline Lux Values (Proposed)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Land Cover Types**
- California annual grassland
 - Coast live oak woodland
 - Coyote brush scrub
 - Creek/Riverine

- Developed (100% Transparent)**
- Landscaped
 - Mixed oak woodland
 - Ruderal
 - Valley oak woodland



FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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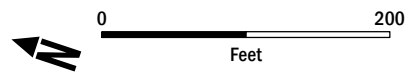
AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

- | | | | |
|--|---|---|---|
| Action Area
--- Action Area
--- MGS
Proposed Fixture
■ Frontside Shielding | Isoline Lux Values (Proposed)
0.01
0.1
0.5
1
1.5
2 | Land Cover Types
California annual grassland
Coast live oak woodland
Coyote brush scrub
Creek/Riverine | Developed (100% Transparent)
Landscaped
Mixed oak woodland
Ruderal
Valley oak woodland |
|--|---|---|---|



Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

- Action Area
- Concrete Barrier
- MGS
- Maintenance Vehicle Pullout
- Existing Fixture**
 - Added Backside Shielding
- Proposed Fixture**
 - Frontside Shielding

- Existing Lighting Coverage**
- Isoline Lux Values (Existing)**
 - 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Isoline Lux Values (Proposed)**
 - 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Land Cover Types**
 - California annual grassland
 - Cattail marsh
 - Coast live oak woodland
 - Coyote brush scrub
 - Creek/Riverine
- Developed (100% Transparent)**
 - Eucalyptus groves
 - Landscaped
 - Mixed oak woodland
 - Ruderal
 - Valley oak woodland

Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;



FIGURE 9
*Proposed Low Lux
Lighting Isolines -
With Shielding*
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Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

Action Area

Concrete Barrier

MGS

Existing Fixture

Added Backside Shielding

Added Frontside Shielding

No Shielding

Proposed Fixture

Frontside Shielding

Existing Lighting Coverage

Isoline Lux Values (Existing)

0.01

0.1

0.5

1

1.5

2

Isoline Lux Values (Proposed)

0.01

0.1

0.5

1

1.5

2

Land Cover Types

California annual grassland

Cattail marsh

Coast live oak woodland

Coyote brush scrub

Creek/Riverine

Eucalyptus groves

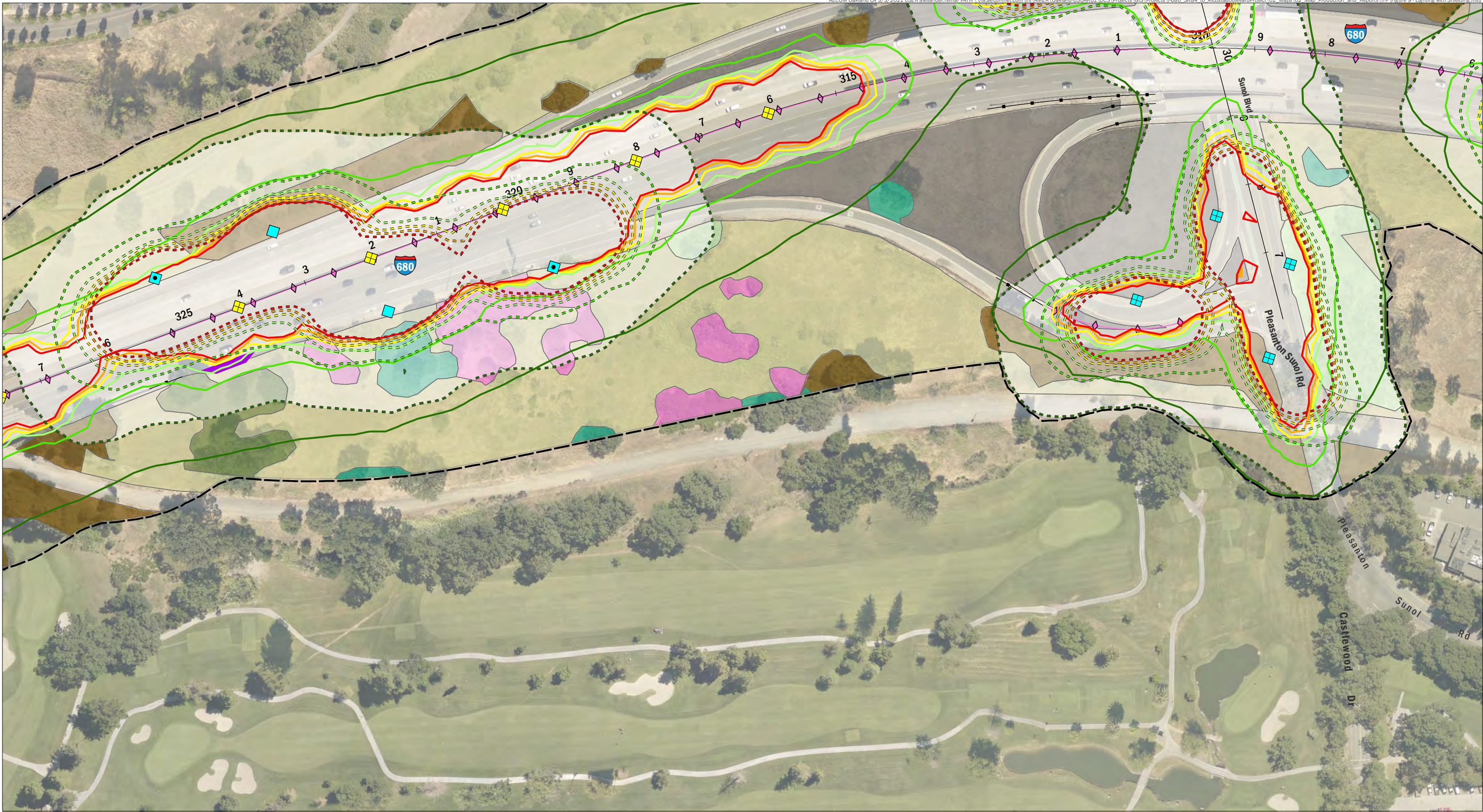
Landscaped

Mixed oak woodland

Ruderal

Valley oak woodland

FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

- Action Area**
- Concrete Barrier
 - MGS
 - Maintenance Vehicle Pullout
- Existing Fixture**
- Added Backside Shielding
 - Added Frontside Shielding
 - No Shielding
- Proposed Fixture**
- Frontside Shielding

- Existing Lighting Coverage**
- Isoline Lux Values (Existing)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Isoline Lux Values (Proposed)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Land Cover Types**
- California annual grassland
 - Cattail marsh
 - Coast live oak woodland
 - Coyote brush scrub
 - Creek/Riverine

- Developed (100% Transparent)**
- Eucalyptus groves
 - Landscaped
 - Mixed oak woodland
 - Ruderal
 - Valley oak woodland



Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

FIGURE 9
*Proposed Low Lux
Lighting Isolines -
With Shielding*
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Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

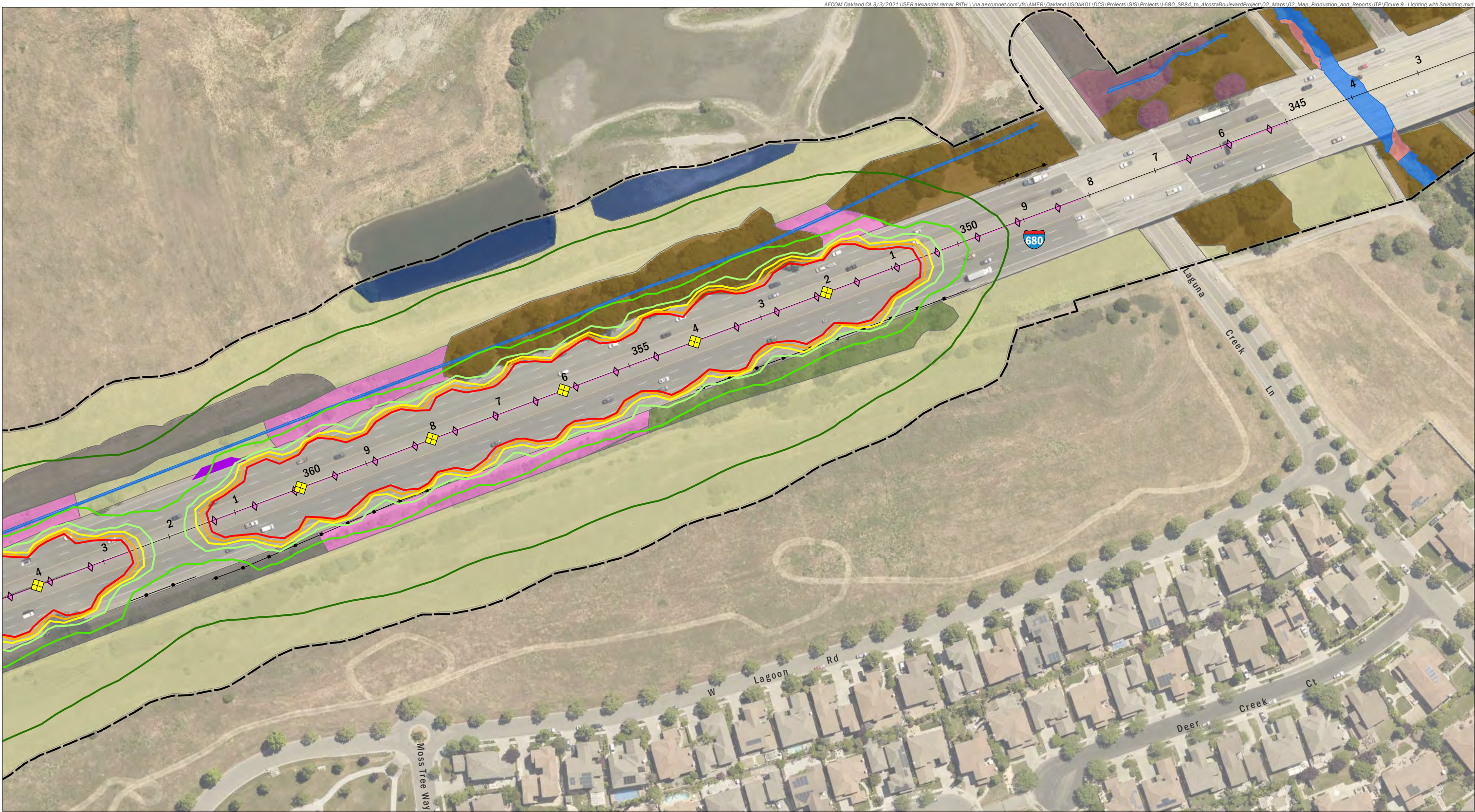
- AECOM**
 Interstate 680 Express Lanes From
 State Route 84 to Alcosta Boulevard Project
 Alameda and Contra Costa Counties
- Action Area**
- Concrete Barrier
 - MGS
 - Maintenance Vehicle Pullout
- Existing Fixture**
- Added Backside Shielding
- Proposed Fixture**
- Frontside Shielding

- Existing Lighting Coverage**
- Isoline Lux Values (Existing)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2
- Isoline Lux Values (Proposed)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Land Cover Types**
- California annual grassland
 - Cattail marsh
 - Coast live oak woodland
 - Coyote brush scrub
 - Creek/Riverine
- Developed (100% Transparent)**
- Landscaped
 - Mixed oak woodland
 - Ruderal
 - Valley oak woodland



FIGURE 9
 Proposed Low Lux
 Lighting Isolines -
 With Shielding
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Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

AECOM

Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

- Action Area**

 - Concrete Barrier
 - MGS
 - Maintenance Vehicle Pullout

Proposed Fixture

 - Frontside Shielding
- Isoline Lux Values (Proposed)**

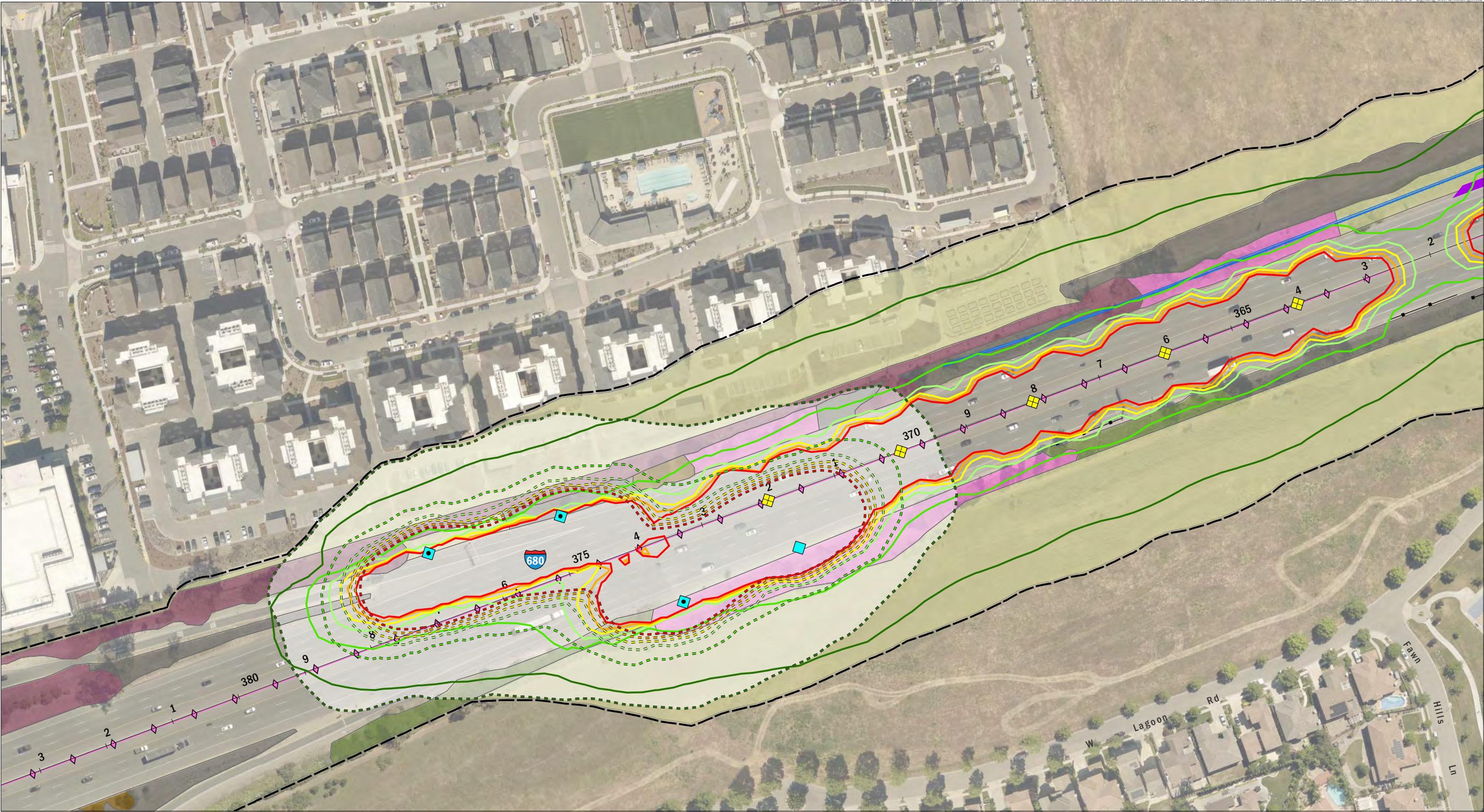
 - 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2
- Land Cover Types**

 - California annual grassland
 - Cattail marsh
 - Coast live oak woodland
 - Coyote brush scrub
 - Creek/Riverine
- Developed (100% Transparent)**

 - Landscaped
 - Mixed oak woodland
 - Open Water
 - Ruderal
 - Valley oak woodland



FIGURE 9
*Proposed Low Lux
Lighting Isolines -
With Shielding
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AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

- Action Area**
- Concrete Barrier
 - MGS
 - Maintenance Vehicle Pullout
- Existing Fixture**
- Added Backside Shielding
 - No Shielding
- Proposed Fixture**
- Frontside Shielding

- Existing Lighting Coverage**
- Isoline Lux Values (Existing)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Isoline Lux Values (Proposed)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

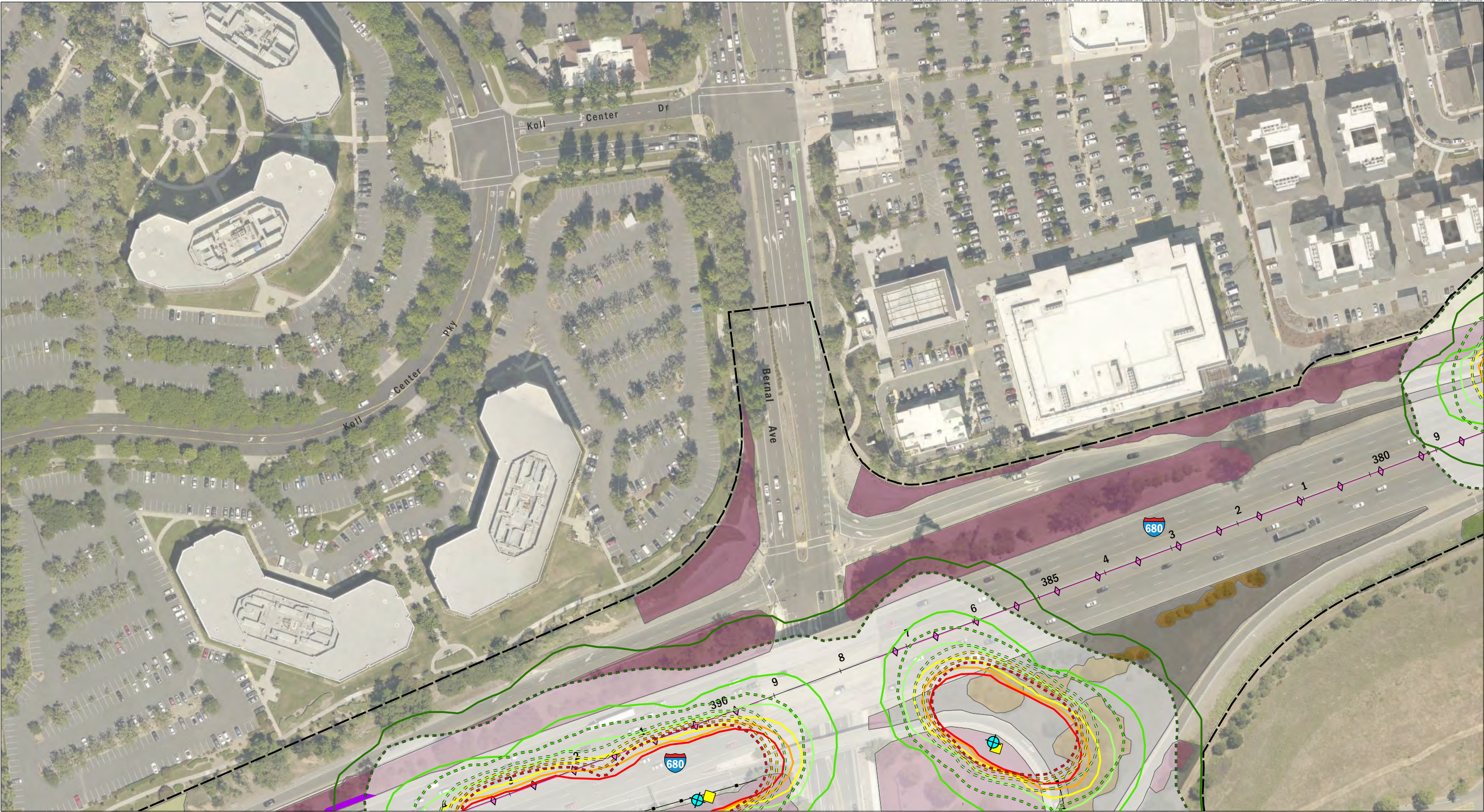
- Land Cover Types**
- California annual grassland
 - Coast live oak woodland
 - Coyote brush scrub
 - Creek/Riverine

- Developed (100% Transparent)**
- Landscaped
 - Mixed oak woodland
 - Ruderal

Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;



FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

AECOM

Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

- Action Area**

 - Concrete Barrier
 - MGS
 - Maintenance Vehicle Pullout

Existing Fixture

 - Removal

Proposed Fixture

 - No Shielding

- Existing Lighting Coverage**

Isoline Lux Values (Existing)

 - 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Isoline Lux Values (Proposed)**

 - 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Land Cover Types**

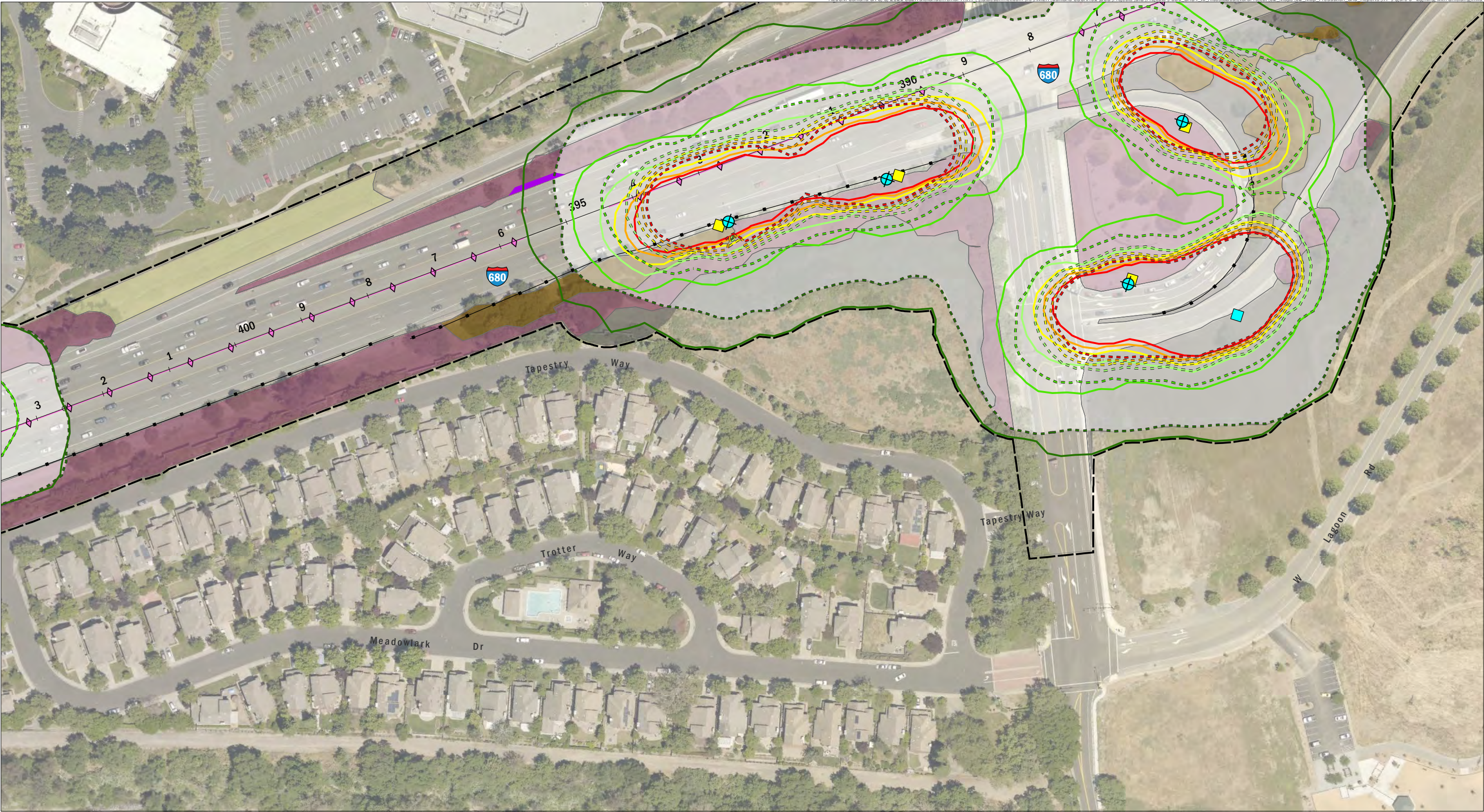
 - California annual grassland
 - Coast live oak woodland
 - Creek/Riverine

- Developed (100% Transparent)**

 - Landscaped
 - Mixed oak woodland
 - Ruderal



FIGURE 9
*Proposed Low Lux
Lighting Isolines -
With Shielding*
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AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

- Action Area**
- Concrete Barrier
 - MGS
 - Maintenance Vehicle Pullout
- Existing Fixture**
- No Shielding
 - Removal
- Proposed Fixture**
- No Shielding

- Existing Lighting Coverage**
- Isoline Lux Values (Existing)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Isoline Lux Values (Proposed)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

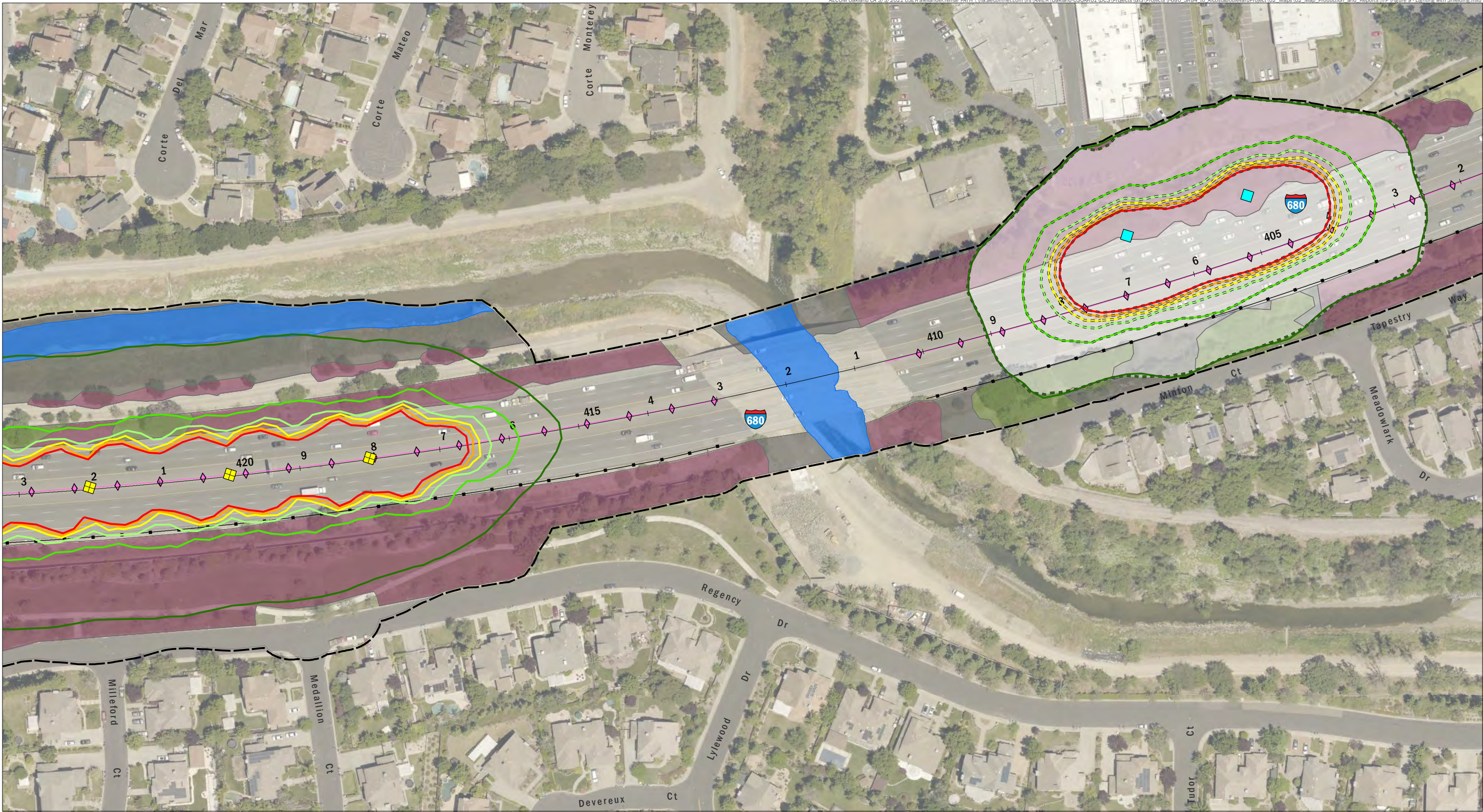
- Land Cover Types**
- California annual grassland
 - Coast live oak woodland
 - Creek/Riverine

- Developed (100% Transparent)**
- Landscaped
 - Mixed oak woodland
 - Ruderal



Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

Action Area
Concrete Barrier
MGS
Existing Fixture
No Shielding
Proposed Fixture
Frontside Shielding

Existing Lighting Coverage
Isoline Lux Values (Existing)
0.01
0.1
0.5
1
1.5
2

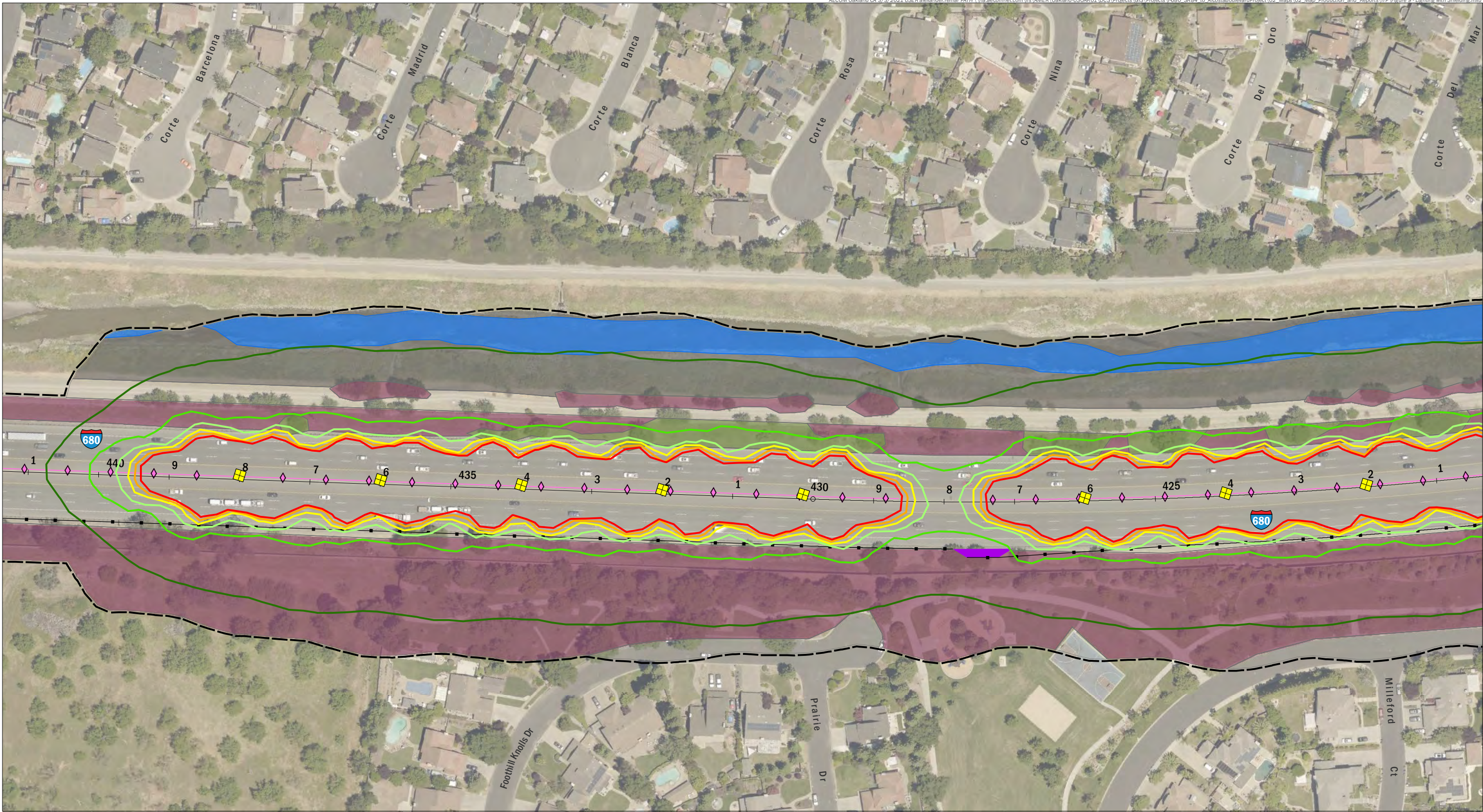
Isoline Lux Values (Proposed)
0.01
0.1
0.5
1
1.5
2

Land Cover Types
California annual grassland
Creek/Riverine
Developed (100% Transparent)

Landscaped
Mixed oak woodland
Ruderal



FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

- Action Area
- Concrete Barrier
- MGS
- Maintenance Vehicle Pullout
- Proposed Fixture
 - Frontside Shielding

- Isoline Lux Values (Proposed)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

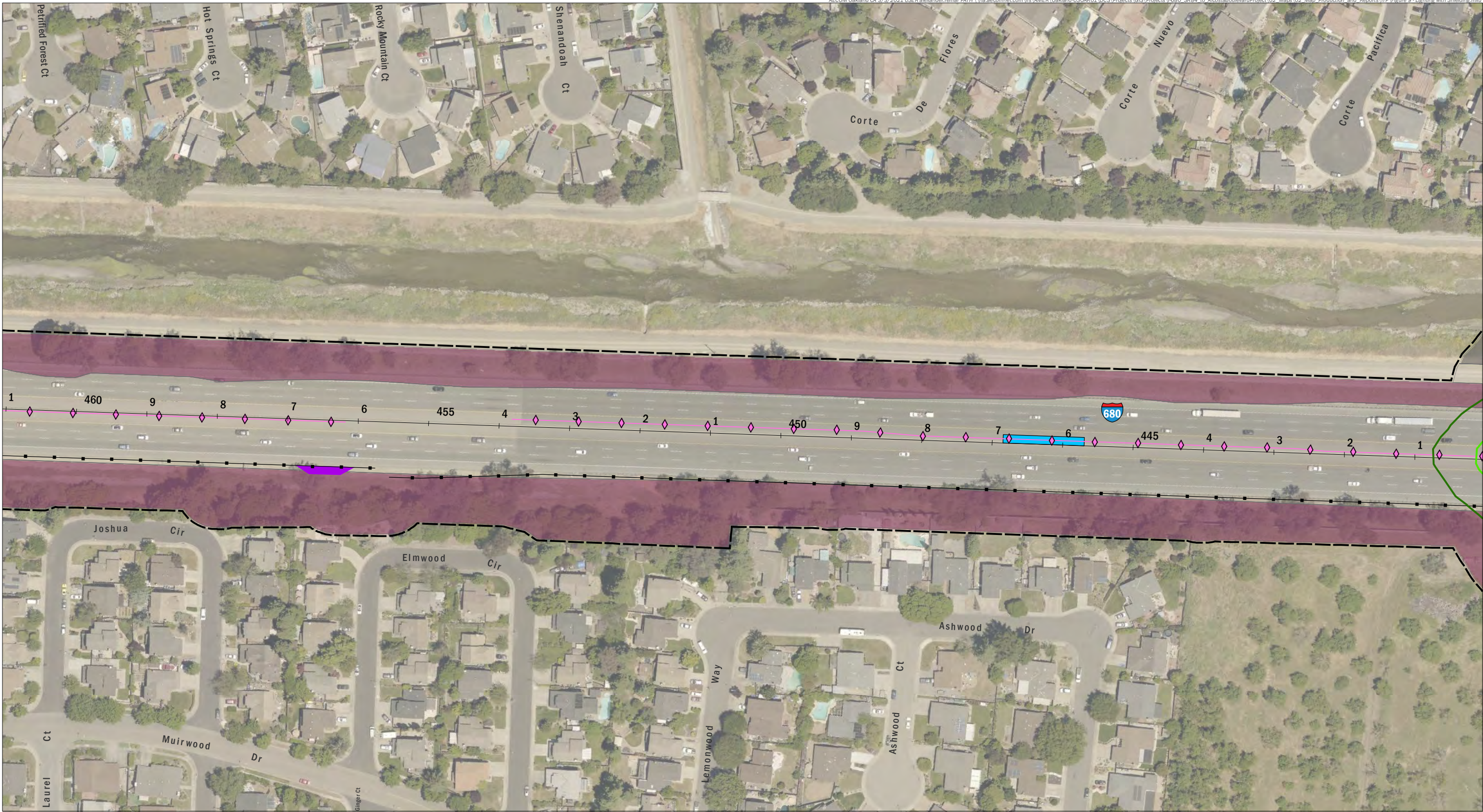
- Land Cover Types**
- Creek/Riverine
 - Developed (100% Transparent)

- Landscaped
- Mixed oak woodland
- Ruderal

Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;



FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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- 0 200
Feet
- Action Area
 Concrete Barrier
 MGS
 CHP observation area
 Maintenance Vehicle Pullout

- Isoline Lux Values (Proposed)
 0.01
 0.1
- Land Cover Types
 Creek/Riverine
Developed (100% Transparent)
 Landscaped
 Ruderal

AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

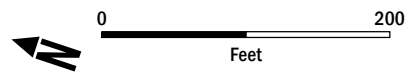


Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

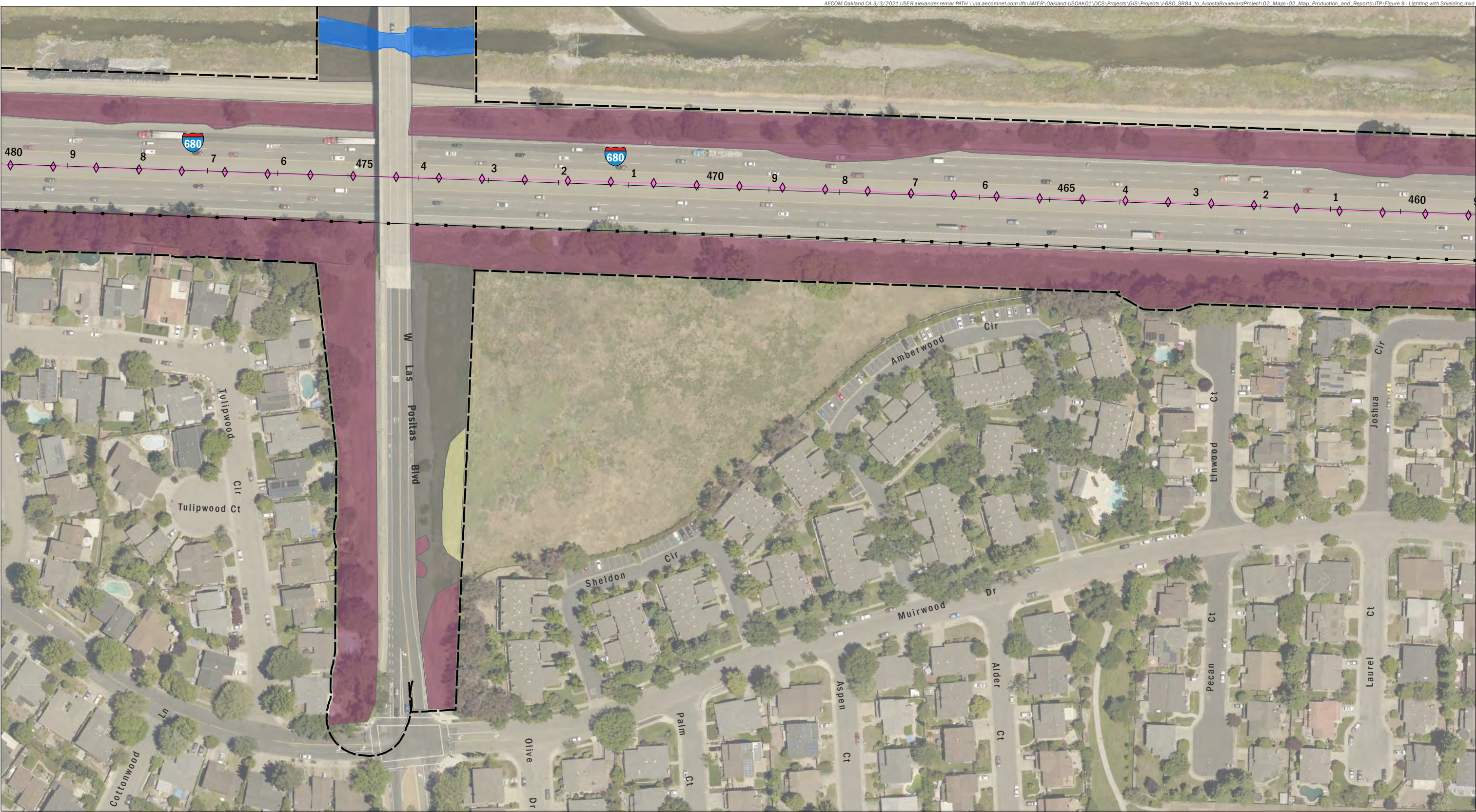


- | | | |
|-------------|-----------------------------|-------------------------------------|
| Action Area | Land Cover Types | Developed (100% Transparent) |
| | California annual grassland | Landscaped |
| | Creek/Riverine | Ruderal |

AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties



FIGURE 9
*Proposed Low Lux
Lighting Isolines -
With Shielding
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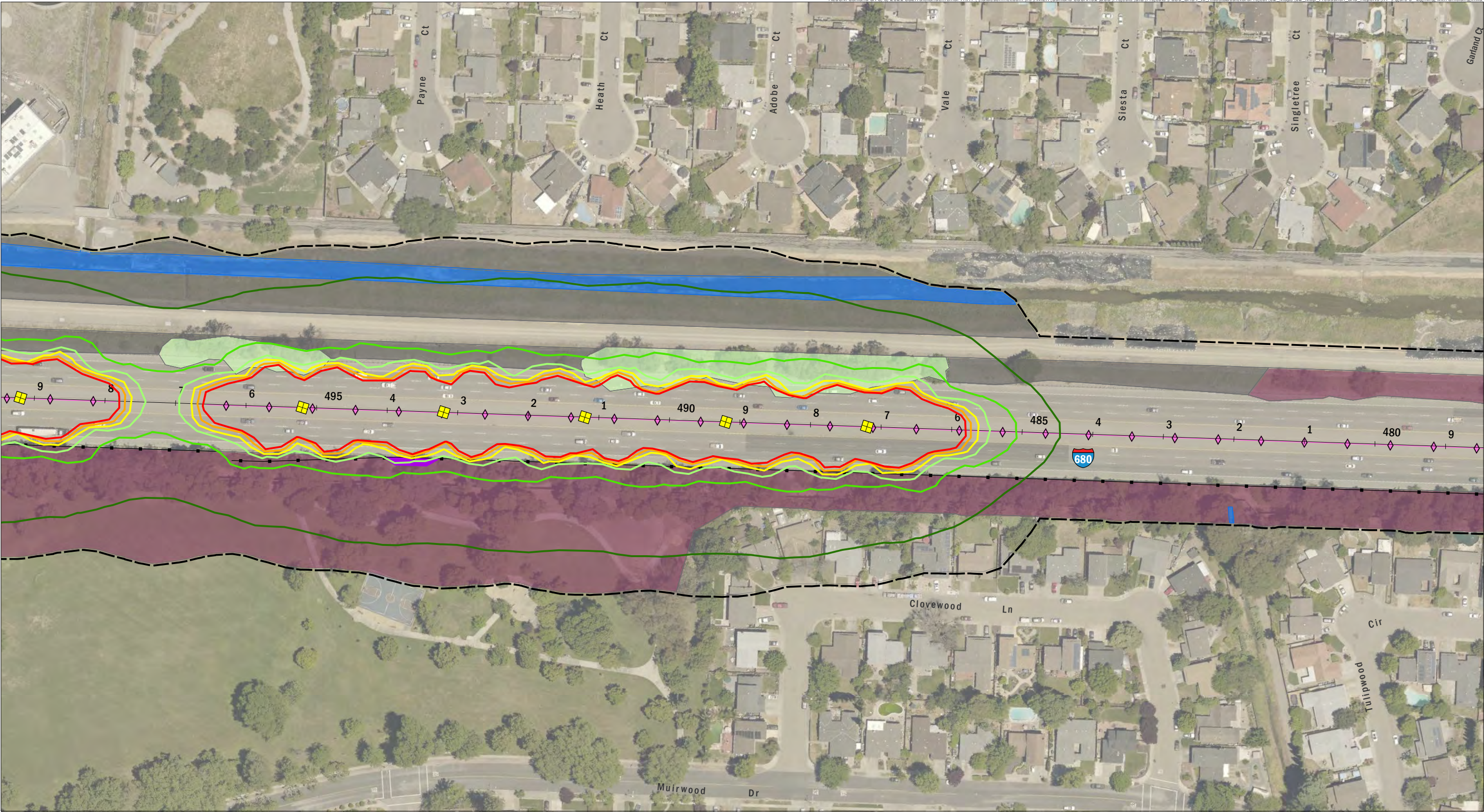


Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

AECOM
Interstate 680 Express Lanes From
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FIGURE 9
Proposed Low Lux
Lighting Isolines -
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- Action Area
- Concrete Barrier
- MGS
- Maintenance Vehicle Pullout
- Proposed Fixture
 - Frontside Shielding

- Isoline Lux Values (Proposed)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

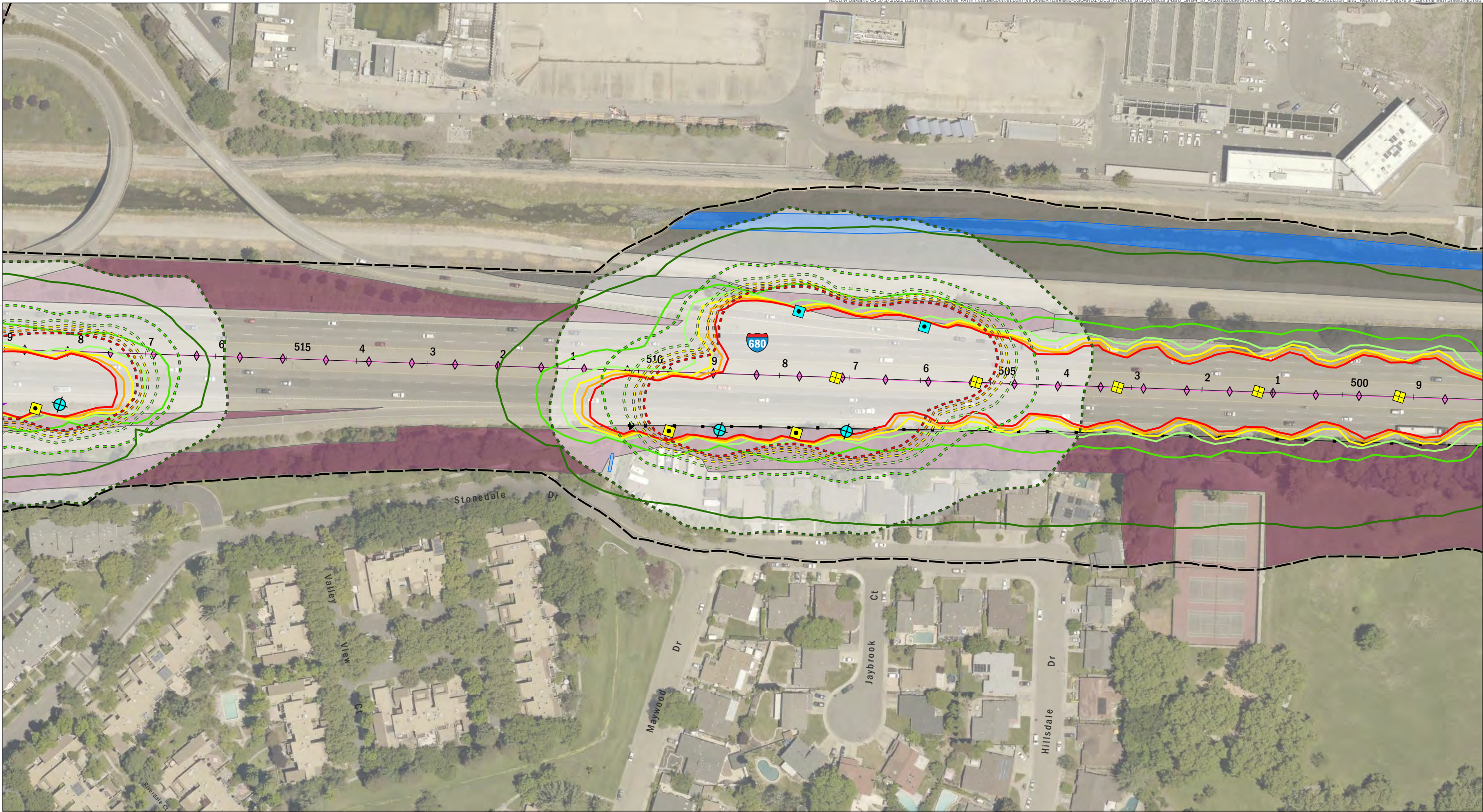
- Land Cover Types**
- California annual grassland
 - Creek/Riverine
 - Developed (100% Transparent)

- Eucalyptus groves
- Landscaped
- Ruderal

Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;



FIGURE 9
Proposed Low Lux
Lighting Isolines -
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Interstate 680 Express Lanes From
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- Action Area
- Concrete Barrier
- MGS
- Maintenance Vehicle Pullout
- Existing Fixture**
- Added Backside Shielding
- Removal
- Proposed Fixture**
- Backside Shielding
- Frontside Shielding

- Existing Lighting Coverage**
- Isoline Lux Values (Existing)
- 0.01
- 0.1
- 0.5
- 1
- 1.5
- 2

- Isoline Lux Values (Proposed)**
- 0.01
- 0.1
- 0.5
- 1
- 1.5
- 2

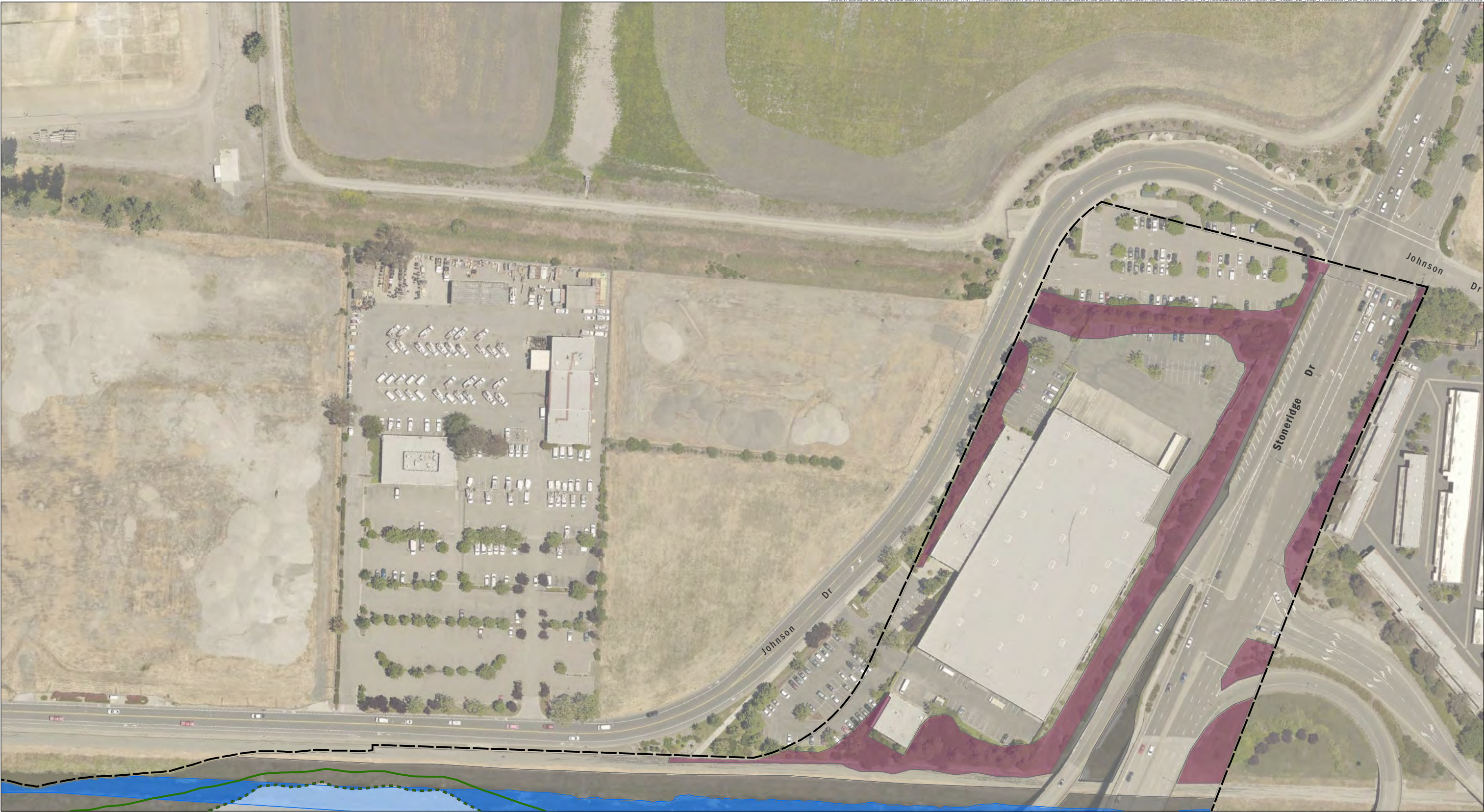
- Land Cover Types**
- Creek/Riverine
- Developed (100% Transparent)

- Eucalyptus groves
- Landscaped
- Ruderal

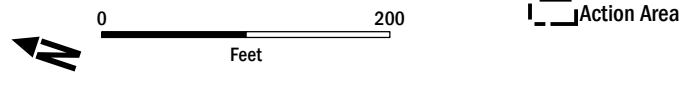


Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;



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Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

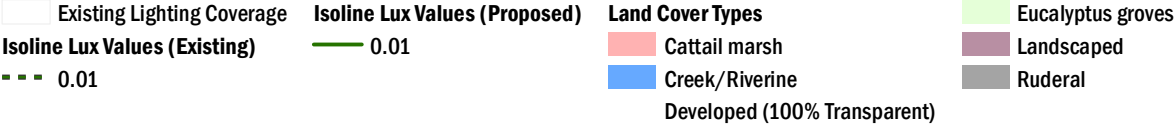
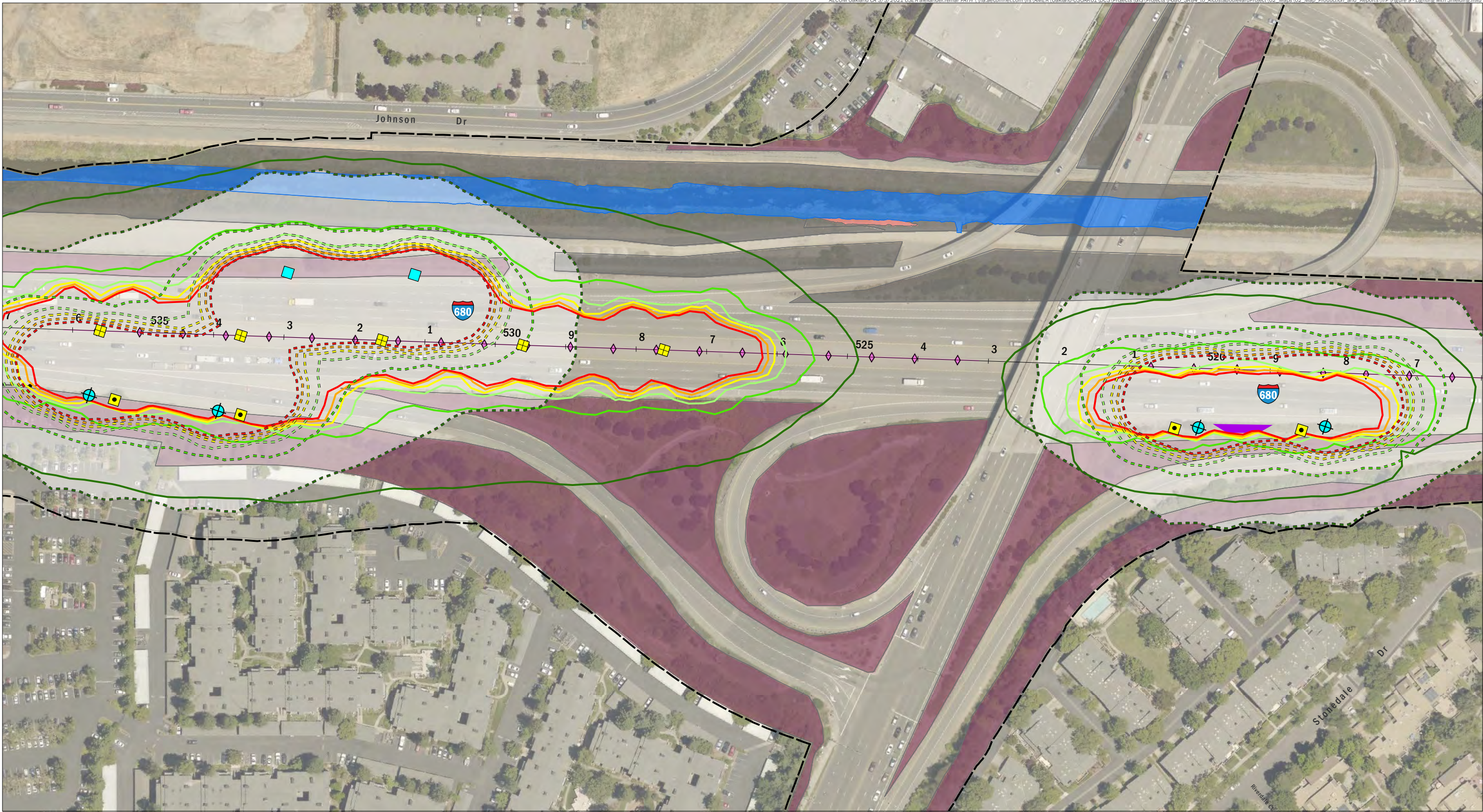


FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

0200
Feet

AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

Action Area

Concrete Barrier

MGS

Maintenance Vehicle Pullout

Existing Fixture

No Shielding

Removal

Proposed Fixture

Backside Shielding

Frontside Shielding

Existing Lighting Coverage

0.01

0.1

0.5

1

1.5

2

Isoline Lux Values (Proposed)

0.01

0.1

0.5

1

1.5

2

Land Cover Types

Cattail marsh

Creek/Riverine

Developed (100% Transparent)

Eucalyptus groves

Landscaped

Ruderal



FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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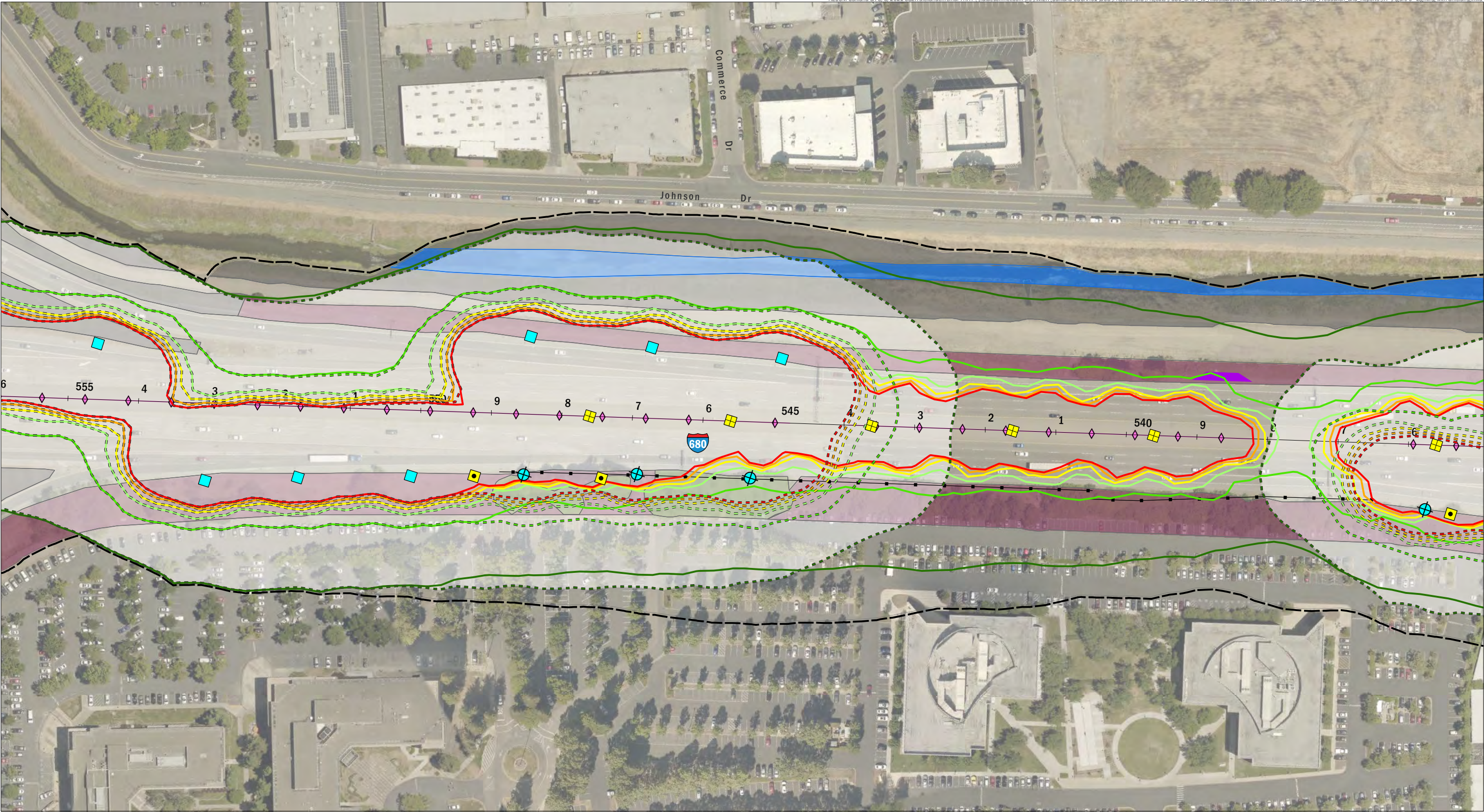


Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

AECOM
Interstate 680 Express Lanes From
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FIGURE 9
Proposed Low Lux
Lighting Isolines -
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Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;



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- Action Area**
- Concrete Barrier
 - MGS
 - Maintenance Vehicle Pullout
- Existing Fixture**
- No Shielding
 - Removal
- Proposed Fixture**
- Backside Shielding
 - Frontside Shielding

- Existing Lighting Coverage**
- Isoline Lux Values (Existing)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Isoline Lux Values (Proposed)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Land Cover Types**
- Cattail marsh
 - Creek/Riverine
 - Developed (100% Transparent)

- Landscaped
- Mixed oak woodland
- Ruderal



FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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AECOM
Interstate 680 Express Lanes From
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Alameda and Contra Costa Counties

Action Area
Existing Fixture
No Shielding

Existing Lighting Coverage
Isoline Lux Values (Existing)
0.01
0.1
0.5
1
1.5
2

Isoline Lux Values (Proposed)
0.01
0.1
0.5
1
1.5
2

Land Cover Types
California annual grassland
Cattail marsh
Creek/Riverine

Developed (100% Transparent)
Eucalyptus groves
Landscaped
Ruderal

Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;



FIGURE 9
*Proposed Low Lux
Lighting Isolines -
With Shielding
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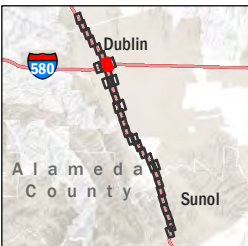
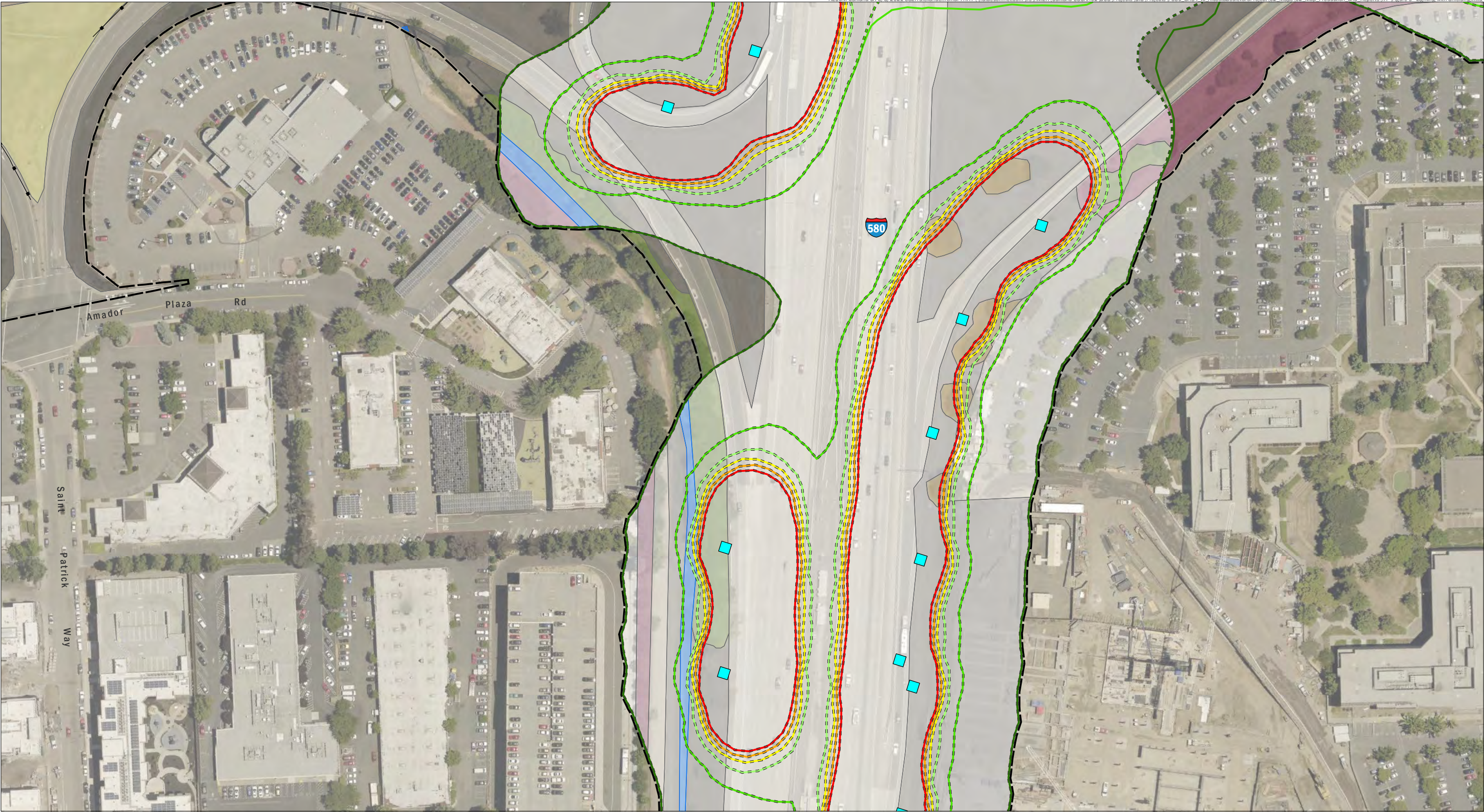


FIGURE 9
*Proposed Low Lux
Lighting Isolines -
With Shielding*
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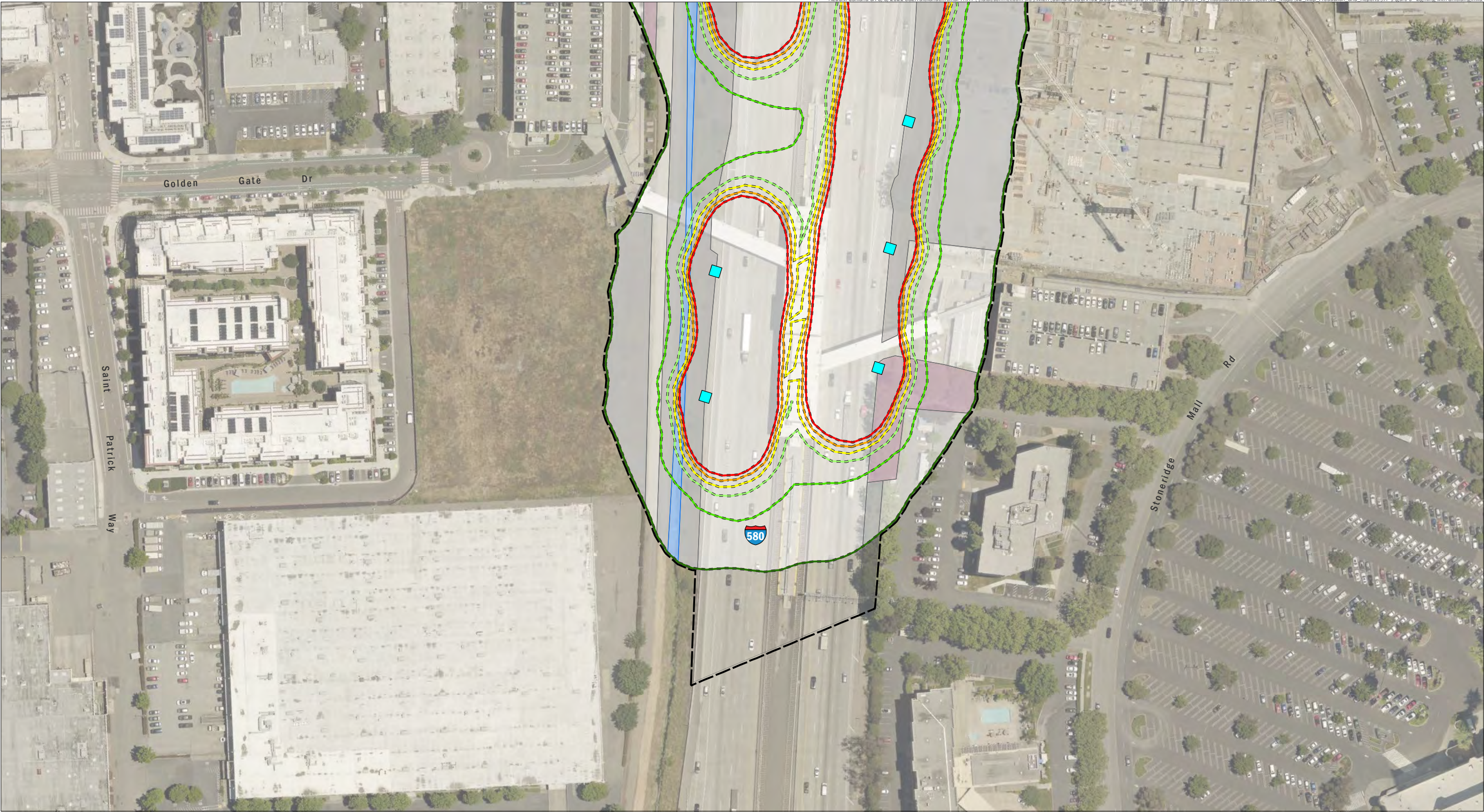
AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

Action Area	Existing Lighting Coverage	Isoline Lux Values (Proposed)	Land Cover Types	Developed (100% Transparent)
MGS	Isoline Lux Values (Existing)	0.01	California annual grassland	Landscaped
Existing Fixture	0.1	0.1	Cattail marsh	Mixed oak woodland
No Shielding	0.5	0.5	Coast live oak woodland	Ruderal
	1	1	Creek/Riverine	
	1.5	1.5		
	2	2		



Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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Interstate 680 Express Lanes From
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Action Area
Existing Fixture
No Shielding

Existing Lighting Coverage
Isoline Lux Values (Existing)
0.01
0.1
0.5
1
1.5
2

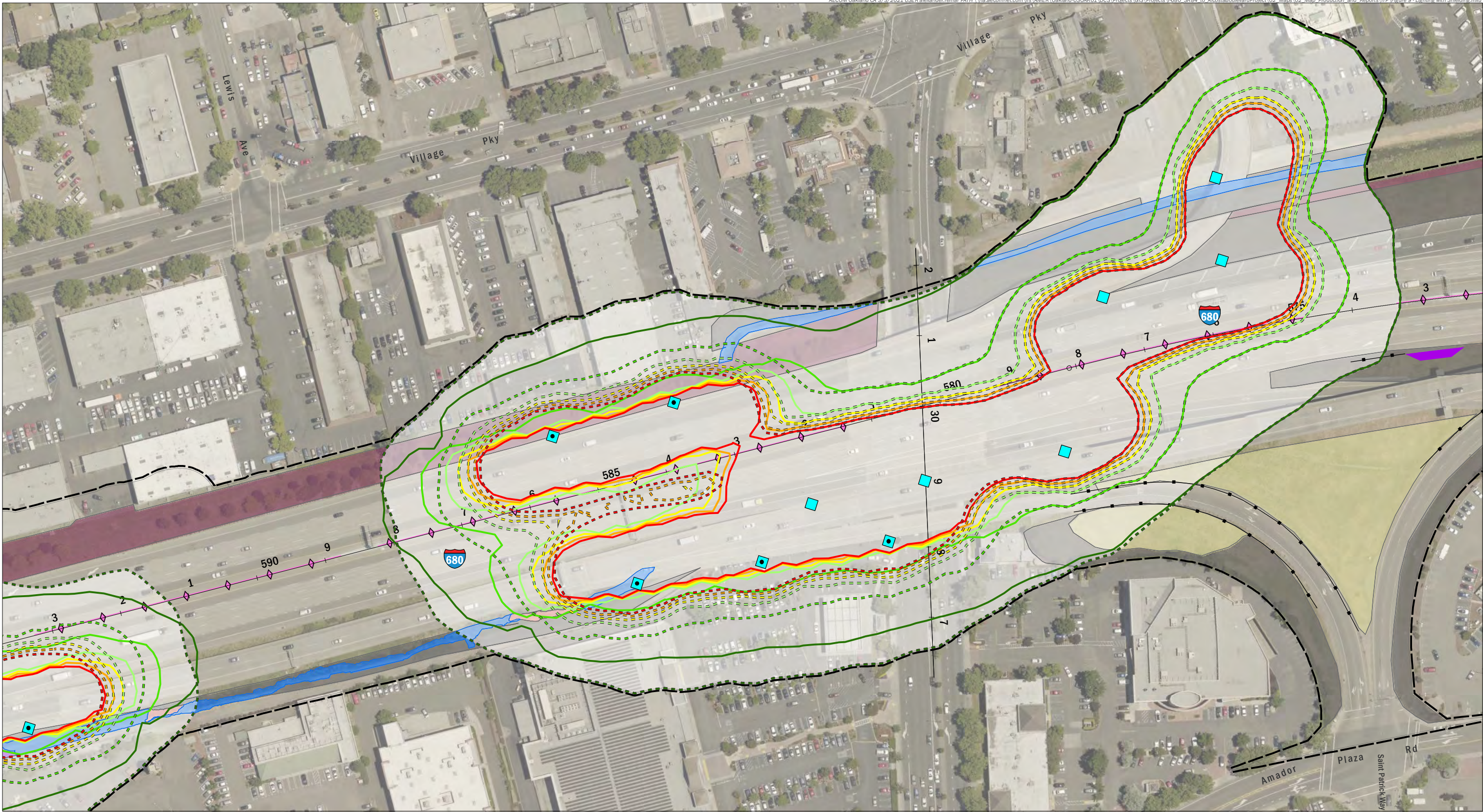
Isoline Lux Values (Proposed)
0.01
0.1
0.5
1
1.5
2

Land Cover Types
Cattail marsh
Coast live oak woodland
Creek/Riverine
Developed (100% Transparent)
Landscaped
Mixed oak woodland
Ruderal


Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;



FIGURE 9
*Proposed Low Lux
Lighting Isolines -
With Shielding*
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Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;



0200
Feet

Action Area

Concrete Barrier

MGS

Maintenance Vehicle Pullout

Existing Fixture

Added Backside Shielding

No Shielding

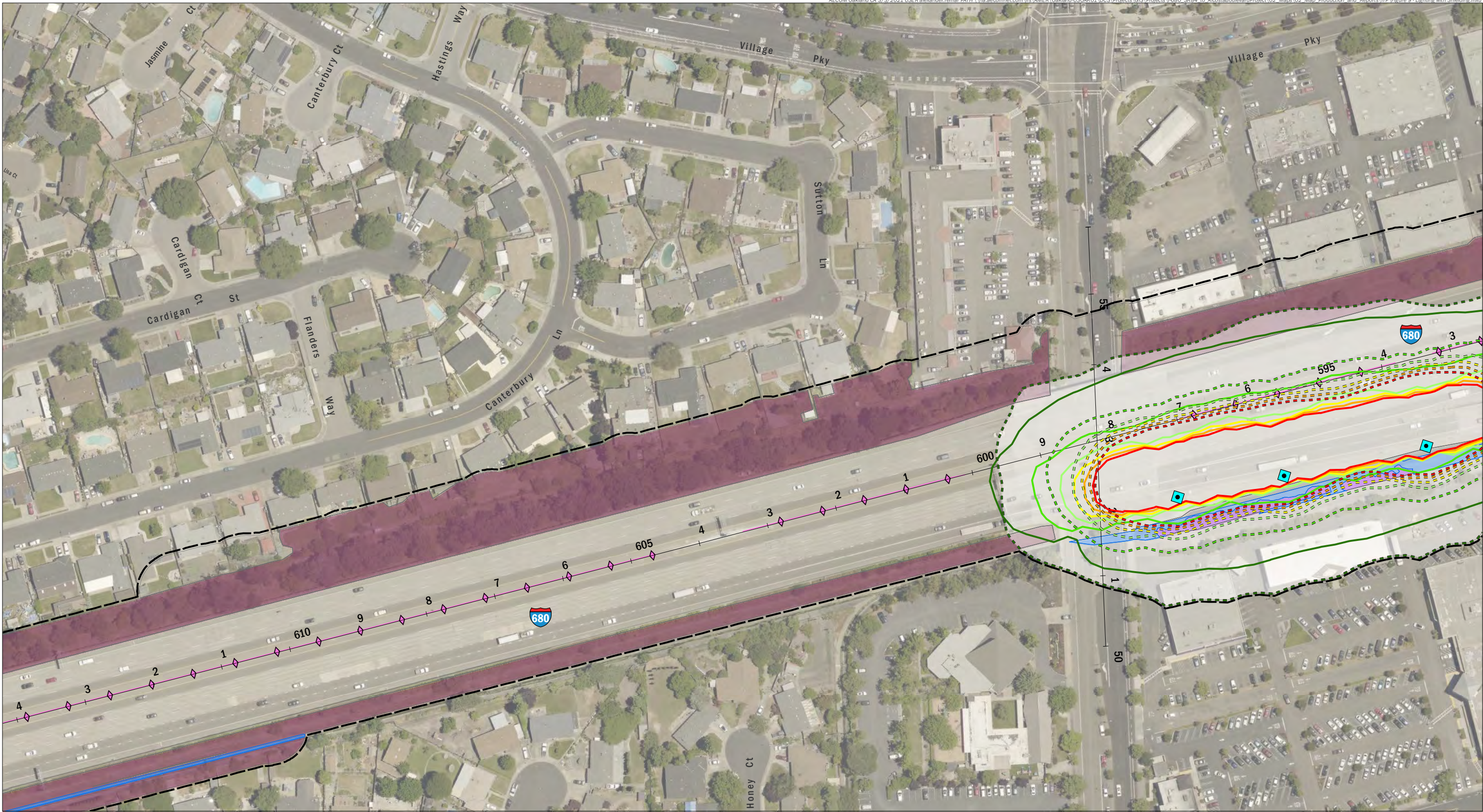
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

AECOM

Existing Lighting Coverage	Isoline Lux Values (Existing)	Isoline Lux Values (Proposed)
<div></div>	0.01	0.01
<div></div>	0.1	0.1
<div></div>	0.5	0.5
<div></div>	1	1
<div></div>	1.5	1.5
<div></div>	2	2

Land Cover Types	Developed (100% Transparent)
<div></div> California annual grassland	<div></div> Hardstem bulrush marsh
<div></div> Cattail marsh	<div></div> Landscaped
<div></div> Creek/Riverine	<div></div> Ruderal

FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

- Action Area
- Concrete Barrier
- Existing Fixture
- Added Backside Shielding

- Existing Lighting Coverage
- Isoline Lux Values (Existing)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Isoline Lux Values (Proposed)**
- 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

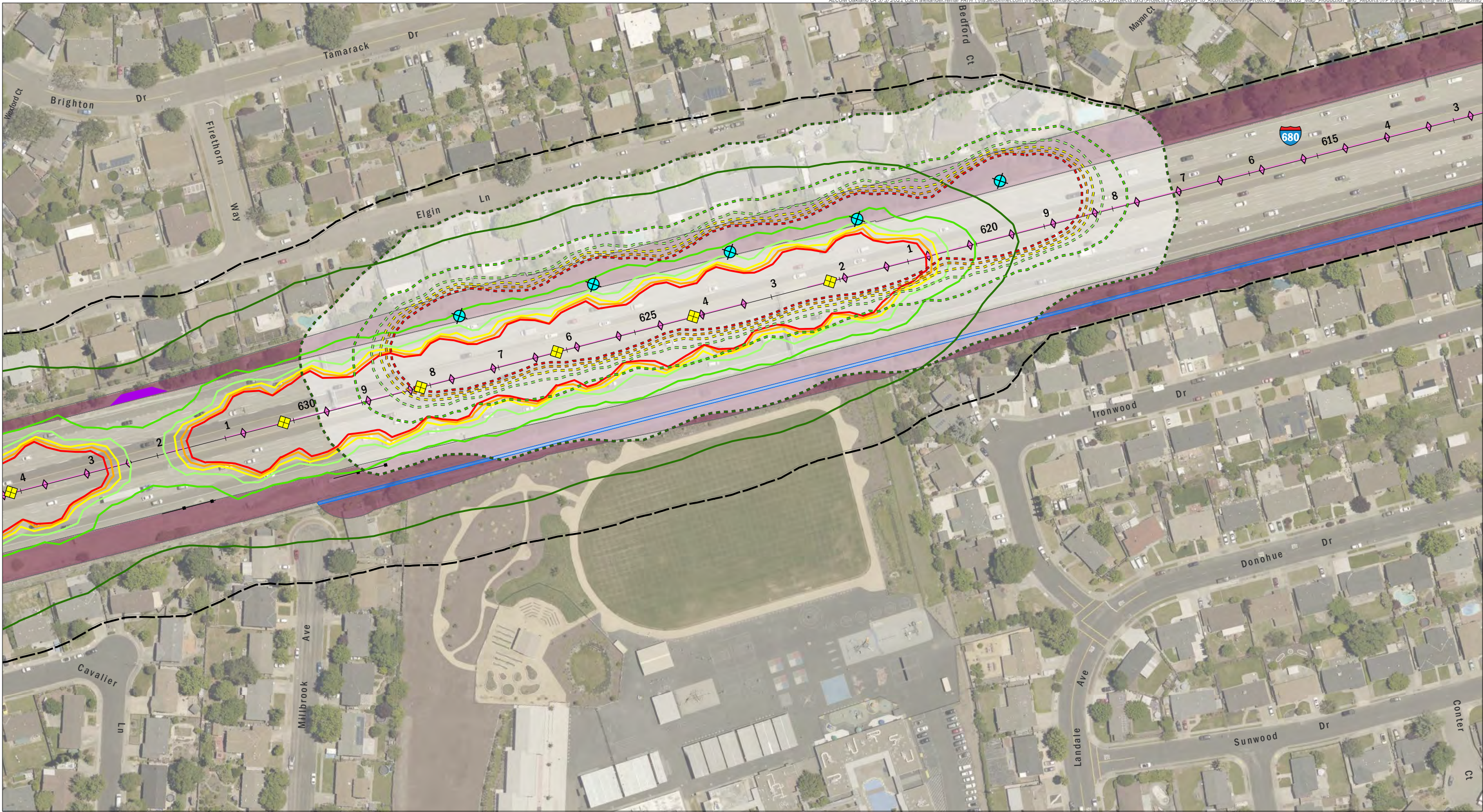
- Land Cover Types**
- Cattail marsh
 - Creek/Riverine
 - Developed (100% Transparent)

- Hardstem bulrush marsh
- Landscaped
- Ruderal

Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;



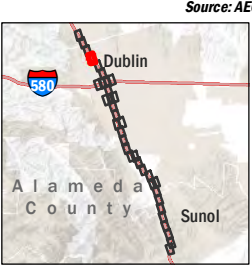
FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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AECOM

Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

Action Area	Existing Lighting Coverage	Isoline Lux Values (Proposed)	Land Cover Types	Developed (100% Transparent)
Concrete Barrier	Isoline Lux Values (Existing)	0.01	Creek/Riverine	Landscaped
MGS	0.01	0.1		
Maintenance Vehicle Pullout	0.1	0.5		
Existing Fixture	0.5	1		
Removal	1	1.5		
Proposed Fixture	1.5	2		
Frontside Shielding	2			



Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
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- Action Area
- Concrete Barrier
- MGS
- Maintenance Vehicle Pullout
- Existing Fixture**
 - No Shielding
- Proposed Fixture**
 - Frontside Shielding

- Existing Lighting Coverage**
 - 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

- Isoline Lux Values (Proposed)**
 - 0.01
 - 0.1
 - 0.5
 - 1
 - 1.5
 - 2

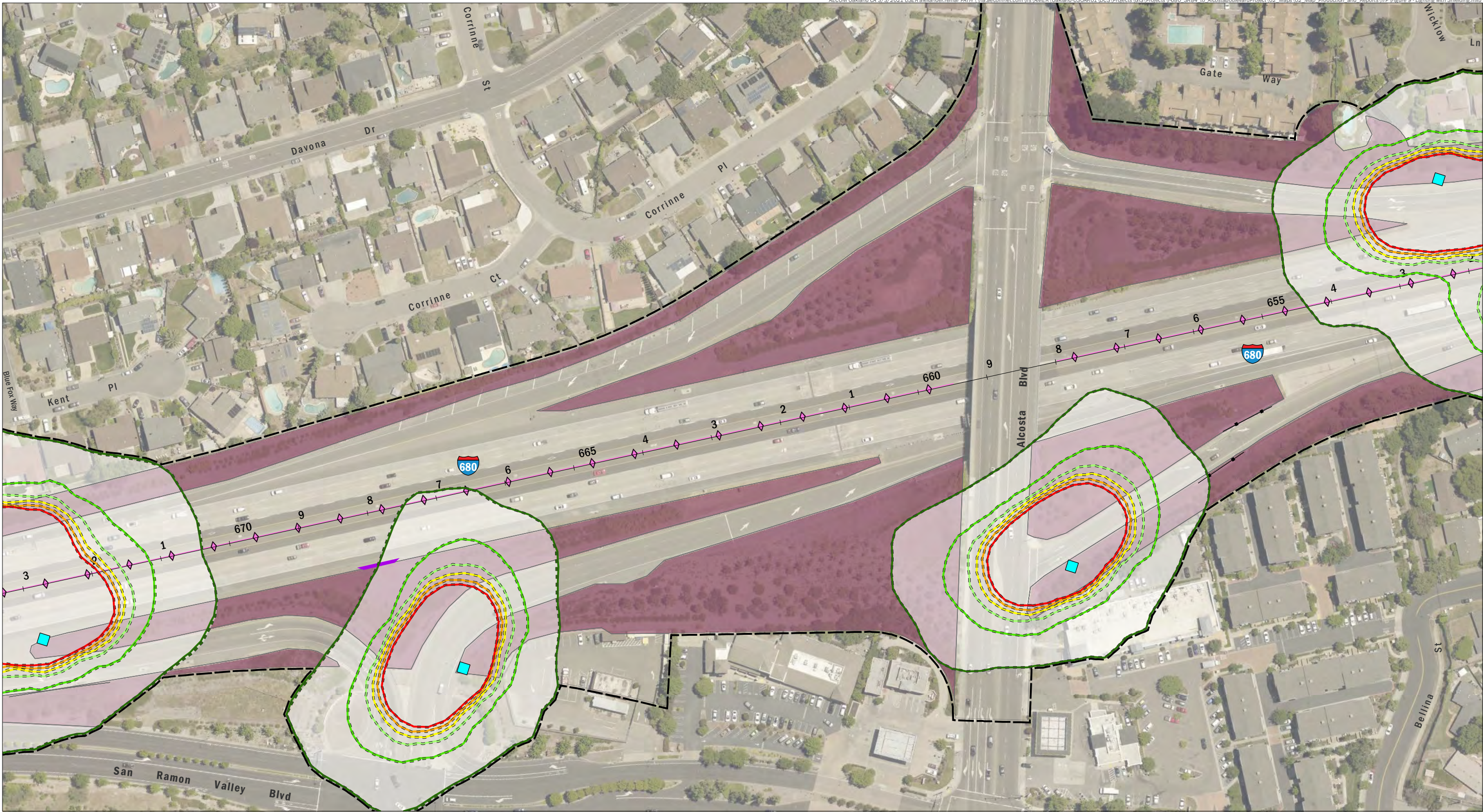
- Land Cover Types**
 - Creek/Riverine
 - Landscaped

- Developed (100% Transparent)**
 - Landscaped

Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;



FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;

AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

- | | | | | |
|---|--|---|---|-------------------|
| Action Area
Concrete Barrier
MGS
Maintenance Vehicle Pullout
Existing Fixture
No Shielding | Existing Lighting Coverage
Isoline Lux Values (Existing)
0.01
0.1
0.5
1
1.5
2 | Isoline Lux Values (Proposed)
0.01
0.1
0.5
1
1.5
2 | Land Cover Types
Developed (100% Transparent) | Landscaped |
|---|--|---|---|-------------------|

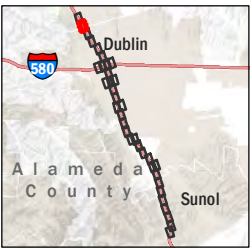
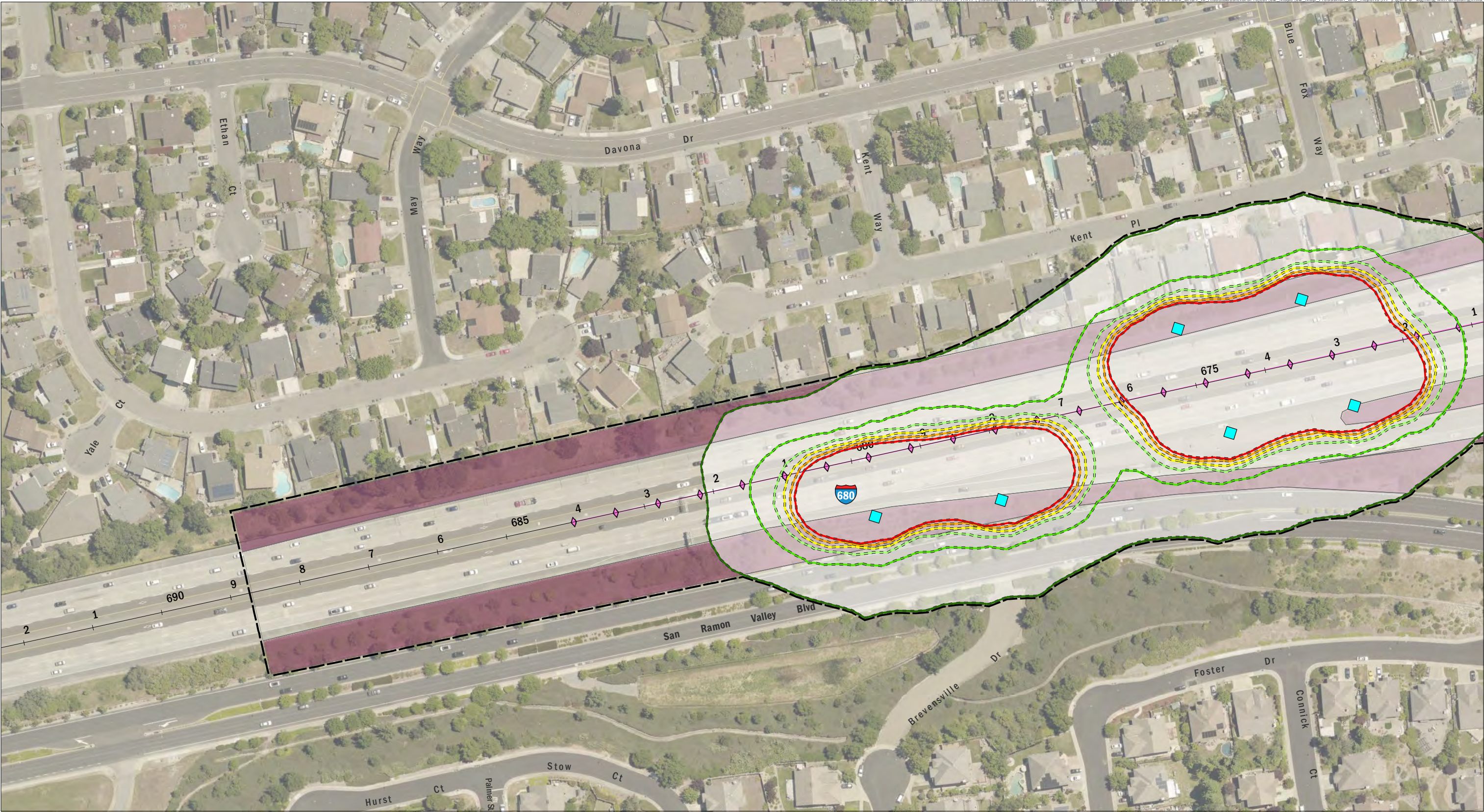


FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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Source: AECOM, 2020; Alameda County, 2017 (imagery); USDA, 2018;



AECOM
Interstate 680 Express Lanes From
State Route 84 to Alcosta Boulevard Project
Alameda and Contra Costa Counties

Action Area	Concrete Barrier	Existing Lighting Coverage	Isoline Lux Values (Proposed)	Landscaped
Existing Fixture	No Shielding	Isoline Lux Values (Existing)	Developed (100% Transparent)	
		0.01	0.01	
		0.1	0.1	
		0.5	0.5	
		1	1	
		1.5	1.5	
		2	2	



FIGURE 9
Proposed Low Lux
Lighting Isolines -
With Shielding
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Attachment 1**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
CALIFORNIA ENDANGERED SPECIES ACT****INCIDENTAL TAKE PERMIT NO. 2081-2021-019-03****PERMITTEE: Alameda County Transportation Commission/
California Department of Transportation****PROJECT: Interstate 680 Southbound Express Lane Project (04-0Q300)****PURPOSE OF THE MMRP**

The purpose of the MMRP is to ensure that the impact minimization and mitigation measures required by the California 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.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
BEFORE DISTURBING SOIL OR VEGETATION					
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 # 5.1	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
2	Designated Biologist(s). Permittee shall submit to CDFW in writing the name, qualifications, business address, and contact information of a 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.	ITP Condition # 5.2	Before commencing ground- or vegetation-disturbing activities	Permittee	
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. Permittee shall accommodate the Designated Biologist in the performance of his/her duties. If the Designated Biologist is unable to comply with the ITP due to a conflict with Project construction, then the Designated Biologist shall notify the CDFW representative immediately.	ITP Condition # 5.3	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
4	Education Program. Permittee shall conduct an education program for all persons employed or otherwise working in the Project Area before performing any work. The program shall consist of a presentation from the Designated Biologist that includes a discussion of the biology and general behavior of the Covered Species, information about the distribution and habitat needs of the Covered Species, sensitivity of the Covered Species to human activities, its status pursuant to CESA including legal protection, recovery efforts, penalties for violations and Project-specific protective measures described in this ITP. Permittee shall provide interpretation for non-English speaking workers, and the same instruction shall be provided to any new workers before they are authorized to perform work in the Project Area. Permittee shall prepare and distribute wallet-sized cards or a fact sheet handout containing this information for workers to carry in the Project Area. Upon completion of the program, employees shall sign a form stating they attended the program and understand all protection measures. This training shall be repeated at least once annually for long-term and/or permanent employees that will be conducting work in the Project Area. The pamphlet and sign in sheet shall be submitted to CDFW upon request and included in the Annual and Final Construction Reports as described in the conditions of this ITP.	ITP Condition # 5.4	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.	ITP Condition # 5.9	Before Commencing Covered Activities	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 # 5.10	Before Commencing Covered Activities	Permittee	
7	Construction Schedule. Permittee shall submit a final construction schedule to CDFW within 14 calendar days prior to the start of Project construction activities. The construction schedule shall identify the approximate beginning and completion date of Project activities. During the Project construction period, Permittee shall notify CDFW of any major changes in the construction schedule at least seven (7) days prior to the change being implemented.	ITP Condition # 5.16	Before commencing Covered Activities	Permittee	
8	Notification Before Commencement. The Designated Representative shall notify CDFW 14 calendar days before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities.	ITP Condition # 6.1	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
9	Trash Capture Devices Installation Review. Prior to the installation of any trash capture devices, the Permittee shall ensure that any drainage system capable of providing Covered Species connectivity for wildlife movement is not blocked by the installation of the trash capture devices. All proposals for trash capture devices installation shall be submitted a minimum of 60 days prior to the initiation of construction. The submission should include a description of the location and images of the culvert inlet and outlet as well as a description of the potential for wildlife to use the structure. Alternative methods of analysis such as game trail cameras may also be employed.	ITP Condition # 7.16	Before commencing Covered Activities	Permittee	
10	<p>CDFW has determined that permanent protection and perpetual 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 will impact the habitat, and CDFW's estimate of the acreage required to provide for adequate compensation.</p> <p>To meet this requirement, the Permittee shall either purchase 27.20 acres of Covered Species credits from a CDFW-approved mitigation or conservation bank (Condition of Approval 8.2) OR shall provide for both the permanent protection and management of 27.20 acres of Habitat Management (HM) lands pursuant to Condition of Approval 8.3 below and the calculation and deposit of the management funds pursuant to Condition of Approval 8.4 below. If stacked, dual species acres or credits from a CDFW-approved mitigation or conservation bank or HM Lands are not available to support both Covered Species (CTS and AWS), then a total of 27.20 acres of CTS credits and 19.99 acres of AWS credits are required. Permanent protection and funding for perpetual management of compensatory 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 9 below for all uncompleted obligations. The Permittee shall also restore on-site 3.70 acres of temporarily impacted Covered Species habitat pursuant to Condition of Approval 8.6 below.</p>	ITP Condition # 8	Before commencing ground- or vegetation-disturbing activities/ Or within 18 months of effective date of ITP if CDFW-approved security is provided	Permittee	

11	<p>Cost Estimates. CDFW has estimated the cost of acquisition, protection, and perpetual management of the HM lands and restoration of temporarily disturbed habitat as follows:</p> <p>Land acquisition costs for HM lands identified in Condition of Approval 8.3 below, estimated at \$44,011.00 per acre; for 27.20 acres: \$1,197,099.00. Land acquisition costs are estimated using local fair market current value for lands with habitat values meeting mitigation requirements;</p> <p>Start-up costs for HM lands, including initial site protection and enhancement costs as described in Condition of Approval 8.3.5 below, estimated at \$64,860.00;</p> <p>Interim management period funding as described in Condition of Approval 8.3.6 below, estimated at \$71,220.00;</p> <p>Long-term management funding as described in Condition of Approval 8.4 below, estimated at \$9,523.00 per acre; for 27.20 acres: \$259,026.00. Long-term management funding is estimated initially for the purpose of providing Security to ensure implementation of HM lands management;</p> <p>Related transaction fees including but not limited to 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 as described in Condition of Approval 8.5, estimated at \$3,000.00;</p> <p>Restoration of on-site temporary effects to Covered Species habitat as described in Condition of Approval 8.6, calculated at \$3,900.00 per acre; for 3.70 acres: \$14,430.00.</p> <p>Covered Species Credits. Permittee shall purchase 27.20 acres of Covered Species Credits from a CDFW-approved mitigation or conservation bank prior to initiating Covered Activities, or no later than 18 months from the issuance of this ITP if Security is provided pursuant to Condition of Approval 9 below. If stacked, dual species Covered Species Credits from a CDFW-approved mitigation or conservation bank are not available a total of 27.20 acres of CTS credits and 19.99 acres of AWS credits are required prior to initiating Covered Activities, or no later than 18 months from the issuance of this ITP if Security is provided pursuant to Condition of Approval 9 below.</p> <p>OR:</p> <p>Habitat Acquisition and Protection. To provide for the acquisition and perpetual protection and management of the HM lands, the Permittee shall:</p> <p>Fee Title/Conservation Easement. Transfer fee title to the HM lands to CDFW pursuant to terms approved in writing by CDFW. Alternatively, CDFW, in its sole discretion, may authorize a governmental entity, special district, non-profit organization, for-profit entity, person, or another entity to hold title to and manage the property provided that the district, organization, entity, or person meets the requirements of Government Code sections 65965-65968, as amended. If CDFW does not hold fee title to the HM lands, CDFW shall act as grantee for a conservation easement over the HM lands or shall, in its sole discretion, approve a non-profit entity, public agency, or Native American tribe to act as grantee for a conservation easement over the HM lands provided that the entity, agency, or tribe meets the requirements of Civil Code section 815.3. If CDFW does not hold the conservation easement, CDFW shall be expressly named in the conservation easement as a third-party beneficiary. The Permittee shall obtain CDFW written approval of any conservation easement before its execution or recordation. No conservation easement shall be approved by CDFW unless it complies with Government Code sections 65965-65968, as amended and includes provisions expressly addressing Government Code sections 65966(j) and 65967(e);</p> <p>HM Lands Approval. Obtain CDFW written approval of the HM lands before acquisition and/or transfer of the land by submitting, at least three months before acquisition and/or transfer of the HM lands, a formal Proposed Lands for Acquisition Form (see Attachment 3B) identifying the</p>	ITP Conditions # 8.1-8.5	Before commencing ground- or vegetation-disturbing activities/ Or within 18 months of effective date of ITP if CDFW-approved security is provided	Permittee	
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<p>land to be purchased or property interest conveyed to an approved entity as mitigation for the Project's impacts on Covered Species;</p> <p>HM Lands Documentation. Provide a recent preliminary title report, initial hazardous materials survey report, and other necessary documents (see Attachment 3A). All documents conveying the HM lands and all conditions of title are subject to the approval of CDFW, and if applicable, the Wildlife Conservation Board and the Department of General Services;</p> <p>Land Manager. Designate both an interim and long-term land manager approved by CDFW. The interim and long-term land managers may, but need not, be the same. The interim and/or long-term land managers may be the landowner or another party. Documents related to land management shall identify both the interim and long-term land managers. Permittee shall notify CDFW of any subsequent changes in the land manager within 30 days of the change. If CDFW will hold fee title to the mitigation land, CDFW will also act as both the interim and long-term land manager unless otherwise specified.</p> <p>Start-up Activities. Provide for the implementation of start-up activities, including the initial site protection and enhancement of HM lands, once the HM lands have been approved by CDFW. Start-up activities include, at a minimum: (1) preparing a final management plan for CDFW approval (see Endowments and Mitigation Land Management (ca.gov)); (2) conducting a baseline biological assessment and land survey report within four months of recording or transfer; (3) developing and transferring Geographic Information Systems (GIS) data if applicable; (4) establishing initial fencing; (5) conducting litter removal; (6) conducting initial habitat restoration or enhancement, if applicable; and (7) installing signage;</p> <p>Interim Management (Initial and Capital). Provide for the interim management of the HM lands. The Permittee shall ensure that the interim land manager implements the interim management of the HM lands as described in the final management plan and conservation easement approved by CDFW. The interim management period shall be a minimum of three years from the date of HM land acquisition and protection and full funding of the Endowment and includes expected management following start-up activities. Interim management period activities described in the final management plan shall include fence repair, continuing trash removal, site monitoring, vegetation and invasive species management, annual protocol-level Covered Species surveys, and rangeland monitoring. Permittee shall either (1) provide a security to CDFW for the minimum of three years of interim management that the land owner, Permittee, or land manager agrees to manage and pay for at their own expense, (2) establish an escrow account with written instructions approved in advance in writing by CDFW to pay the land manager annually in advance, or (3) establish a short-term enhancement account with CDFW or a CDFW-approved entity for payment to the land manager.</p> <p>Endowment Fund. If the Permittee will permanently protect and perpetually manage compensatory habitat as described in Condition of Approval 8.3, The Permittee shall ensure that the HM lands are perpetually managed, maintained, and monitored by the long-term land manager as described in this ITP, the conservation easement, and the final management plan approved by CDFW. After obtaining CDFW approval of the HM lands, Permittee shall provide long-term management funding for the perpetual management of the HM lands by establishing a long-term management fund (Endowment). The Endowment is a sum of money, held in a CDFW-approved fund that provides funds for the perpetual management, maintenance, monitoring, and other activities on the HM lands consistent with the management plan(s) required by Condition of Approval 8.3.5. Endowment as used in this ITP shall refer to the endowment deposit and all interest, dividends, other earnings, additions and appreciation thereon. The Endowment shall be governed by this ITP, Government Code sections 65965-65968, as amended, and Probate Code sections 18501-18510, as amended.</p> <p>After the interim management period, Permittee shall ensure that the designated long-term land manager implements the management and monitoring of the HM lands according to the final management plan. The long-term land manager shall be obligated to manage and monitor the HM lands in perpetuity to preserve their conservation values in accordance with this ITP, the</p>				
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<p>conservation easement, and the final management plan. Such activities shall be funded through the Endowment.</p> <p>Identify an Endowment Manager. The Endowment shall be held by the Endowment Manager, which shall be either CDFW or another entity qualified pursuant to Government Code sections 65965-65968, as amended. Permittee shall submit to CDFW a written proposal that includes: (i) the name of the proposed Endowment Manager; (ii) whether the proposed Endowment Manager is a governmental entity, special district, nonprofit organization, community foundation, or congressionally chartered foundation; (iii) whether the proposed Endowment Manager holds the property or an interest in the property for conservation purposes as required by Government Code section 65968(b)(1) or, in the alternative, the basis for finding that the Project qualifies for an exception pursuant to Government Code section 65968(b)(2); and (iv) a copy of the proposed Endowment Manager's certification pursuant to Government Code section 65968(e). Within thirty days of CDFW's receipt of Permittee's written proposal, CDFW shall inform Permittee in writing if it determines the proposal does not satisfy the requirements of Fish and Game Code section 2081(b)(4) and, if so, shall provide Permittee with a written explanation of the reasons for its determination. If CDFW does not provide Permittee with a written determination within the thirty-day period, the proposal shall be deemed consistent with Section 2081(b)(4).</p> <p>Calculate the Endowment Funds Deposit. After obtaining CDFW written approval of the HM lands, long-term management plan, and Endowment Manager, Permittee shall prepare a Property Analysis Record (PAR) or PAR-equivalent analysis (hereinafter "PAR") to calculate the amount of funding necessary to ensure the long-term management of the HM lands (Endowment Deposit Amount). The Permittee shall submit to CDFW for review and approval the results of the PAR before transferring funds to the Endowment Manager.</p> <p>Capitalization Rate and Fees. Permittee shall obtain the capitalization rate from the selected Endowment Manager for use in calculating the PAR and adjust for any additional administrative, periodic, or annual fees.</p> <p>Endowment Buffers/Assumptions. Permittee shall include in PAR assumptions the following buffers for endowment establishment and use that will substantially ensure long-term viability and security of the Endowment: 10 Percent Contingency.</p> <p>10 Percent Contingency. A 10 percent contingency shall be added to each endowment calculation to hedge against underestimation of the fund, unanticipated expenditures, inflation, or catastrophic events.</p> <p>Three Years Delayed Spending. The endowment shall be established assuming spending will not occur for the first three years after full funding.</p> <p>Non-annualized Expenses. For all large capital expenses to occur periodically but not annually such as fence replacement, or payments shall be withheld from the annual disbursement until the year of anticipated need or upon request to Endowment Manager and CDFW.</p> <p>Transfer Long-term Endowment Funds. Permittee shall transfer the long-term endowment funds to the Endowment Manager upon CDFW approval of the Endowment Deposit Amount identified above. The approved Endowment Manager may pool the Endowment with other endowments for the operation, management, and protection of HM lands for local populations of the Covered Species but shall maintain separate accounting for each Endowment. The Endowment Manager shall, at all times, hold and manage the Endowment in compliance with this ITP, Government Code sections 65965-65968, as amended, and Probate Code sections 18501-18510, as amended.</p> <p>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.</p>				
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12	<p>On-Site Restoration/Habitat Enhancement Plan for Temporary Impacts. The plan shall be prepared by a Qualified Biologist or Habitat Restoration Specialist and submitted for CDFW review and approval in writing a minimum of 30 days prior to the initiation of construction. The plan shall address restoration or enhancement of at least 3.70 acres of Covered Species Habitat as follows:</p> <p>Annual Grassland Restoration and Enhancement. All exposed/disturbed soils left barren of vegetation in areas of temporary impact within the I-680 corridor including staging areas, access roads and upland areas shall be revegetated immediately following work activities. Impacted areas shall be revegetated with native plants and/or saplings, if feasible, or seeded with an erosion control seed mix consisting of native forbs, shrubs, wildflowers, and grasses. Revegetation shall be completed after construction has concluded and as soon as possible after earthmoving activities cease; however, plantings will be most successful if done immediately before and/or during the rainy season. Seeding placed after October 31 shall be applied by hydroseed or fiber rolls. Erosion control blankets with monofilament or woven plastic strands shall not be used. The Annual Grassland section of the restoration and enhancement plan shall note areas of impact and proposed areas of seeding. Submission in the form of a map or figure that outlines areas of impacts and areas of re-seeding should also be included. At the discretion of CDFW, all exposed areas where seeding is unsuccessful after 90 days shall receive appropriate soil preparation and a second application of seeding or mulch as soon as is practical on a day mutually agreed upon with CDFW.</p> <p>Tree/woody vegetation Restoration and Enhancement Monitoring. A minimum of 30 days prior to the initiation of construction the Permittee shall submit a tree inventory for proposed removals, trimming and impact along the I-680 corridor in suitable Covered Species habitat. The Permittee shall also provide a Tree Restoration and Enhancement Monitoring Plan 30 days prior to the initiation of construction. The plan shall consist of a planting pallet of native trees that consists of the species of removed trees including but not limited to; Coastal live oak, Valley Oak, Hinds Walnut as well as coyote brush and scrub habitat woody vegetation species. Plantings shall be monitored for a period of five years and shall obtain a success criteria of at least 75% for survivorship for all trees and woody vegetation. If plantings do not achieve 75% success criteria within five years, additional plantings and monitoring years shall be required in consultation with CDFW.</p> <p>Covered Species Connectivity Monitoring Plan. A connectivity monitoring plan for Covered Species to address connectivity within the Project Area segment of the I-680 corridor shall be submitted for CDFW review and acceptance. The study should focus on culverts throughout the corridor with the highest potential for Covered Species movement. The study shall monitor the selected culvert locations for a period of at least 12 months prior to construction, as feasible and 12 months per culvert location studied after install, or as specified in the connectivity monitoring plan. The study should include proposed fencing array designs, culverts, underpasses or areas of potential connectivity use and a monitoring protocol and the best available science for the Covered Species to ensure proposed retaining walls, k-rail and other proposed anthropogenic improvements do not impede or prevent connectivity.</p>	ITP Condition # 8.6	30 Days Prior to Construction, During Construction, Post Construction	Permittee	
13	<p>Performance Security</p> <p>The Permittee may proceed with Covered Activities only after the Permittee has ensured funding (Security) to complete any activity required by Condition of Approval 8 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 \$1,350,609.00. This amount is based on the cost estimates identified in Condition of Approval 8.1 above.</p> <p>Security Form. The Security shall be in the form of an irrevocable letter of credit (see Attachment 4) or another form of Security approved in advance in writing by CDFW's Office of the General Counsel.</p>	ITP Condition # 9	Before commencing ground- or vegetation-disturbing activities/ Or within 18 months of effective date of ITP if CDFW-approved security is provided	Permittee	

	<p>Security Timeline. The Security shall be provided to CDFW no later than 30 days before Covered Activities begin.</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 5) or by way of an approved instrument such as escrow, irrevocable letter of credit, or other.</p> <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>Written documentation of the acquisition of the HM lands;</p> <p>Copies of all executed and recorded conservation easements;</p> <p>Written confirmation from the approved Endowment Manager of its receipt of the full Endowment;</p> <p>Timely submission of all required reports; and</p> <p>Achievement and/or initiation of restoration success criteria and study concepts noted in Condition of Approval 8.6</p> <p>Even if Security is provided, the Permittee must complete the required acquisition, protection and transfer of all HM lands and record any required conservation easements 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					
14	Construction Monitoring Notebook. The Designated Biologist shall maintain a construction-monitoring notebook on-site throughout the construction period, which shall include a copy of this ITP with attachments and a list of signatures of all personnel who have successfully completed the education program. Permittee shall ensure a copy of the construction-monitoring notebook is available for review at the Project site upon request by CDFW.	ITP Condition # 5.5	Entire Project	Permittee	
15	Refuse Removal. Throughout the course of the Project and upon completion of Covered Activities Permittee shall remove from the Project Area and properly dispose of all trash, debris, 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 # 5.17	Entire Project	Permittee	
16	Erosion Control. Erosion and sediment control measures shall be installed prior to earth-moving Covered Activities. Permittee shall utilize erosion control measures throughout all phases of the Project where sediment runoff from exposed slopes could leave the Project Area and/or enter a drainage, stream, or ponded area. No phase of the Project that may cause the introduction of sediments into a drainage, stream or ponded area may be started if that phase and its associated erosion control measures cannot be completed prior to the onset of a storm. Permittee shall consult 72-hour weather forecasts from the National Weather Service prior to the startup of any phase of the Project that may result in sediment runoff to a drainage, stream, or ponded area. The Designated Biologist shall monitor erosion control measures before, during, and after each storm event and Permittee shall repair and/or replace ineffective measures immediately. Following completion of the Project, Permittee shall implement erosion	ITP Condition # 5.6	Entire Project		

	control measures for all disturbed areas, which may include reseeding using a noxious weed-free locally native seed mix, hydroseeding, jute matting, or tackifying agents to stabilize soils and dust control.				
17	Erosion Control Materials. Permittee shall prohibit use of erosion control materials potentially harmful to Covered Species, such as plastic or mono-filament netting (erosion control matting, geo-textile material and rock slope protection filter fabric) or similar material, in potential Covered Species' habitat. Tightly woven silt fencing material or woven organic materials such as coir logs (without mono-filament netting) shall be permitted.	ITP Condition # 5.7	Entire Project	Permittee	
18	Dogs Prohibition. Permittee shall prohibit domestic dogs from the Project Area and site access routes during Covered Activities, except those in the possession of local, state, or federal law enforcement officials.	ITP Condition # 5.8	Entire Project	Permittee	
19	Project Access. Project-related personnel shall access the Project Area using existing routes, or routes identified in the Project Description and shall not cross Covered Species' habitat outside of or en route to the Project Area. Permittee shall restrict Project-related vehicle traffic to established roads, staging, and parking areas. 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.	ITP Condition # 5.11	Entire Project	Permittee	
20	Staging Areas. Permittee shall confine all Project-related parking, storage areas, laydown sites, equipment storage, and any other surface-disturbing activities to the locations noted in the ITP application with the exception that any staging area cannot occur within 250 feet of a water feature or burrows and dens, unless otherwise approved by CDFW. In addition, all staging areas must be surrounded by exclusionary fencing as specified in Condition of Approval 7.6. Permittee shall not use or cross Covered Species' habitat outside of the marked Project staging area.	ITP Condition # 5.12	Entire Project	Permittee	
21	Equipment Washing Station and Sanitization. All equipment shall be washed or sanitized prior to entering the Project Area. Staging areas shall be equipped with wash stations to prevent the spread of invasive species and disease from areas outside the Project boundaries.	ITP Condition # 5.13	Entire Project	Permittee	
22	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 # 5.14	Entire Project	Permittee	
23	CDFW Access. Permittee shall provide CDFW staff with reasonable access to the Project and mitigation lands under Permittee control and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in this ITP.	ITP Condition # 5.15	Entire Project	Permittee	
24	Temporary Impact Criteria. To be considered a temporary impact, all temporary impacts must meet the following criteria: (1) recontouring, replanting and seeding of each temporary impact area shall occur by October 31 of the year of the impact, and no additional ground disturbing activities shall occur; (2) if the impact area is within 1,000 feet of an aquatic feature, all work shall be completed within this area and exclusion fencing shall be removed by October 15 of the same calendar year, allowing the Covered Species unrestricted access between upland and aquatic habitat; and (3) temporary impact sites have achieved vegetation success as noted in Condition of Approval 8.6. Impacts that do not meet these criteria will require additional mitigation and an amendment to this ITP shall be required.	ITP Condition # 5.18	Entire Project	Permittee	

25	Notification of Non-compliance. The designated representative or Designated Biologist 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 or Designated Biologist shall report any non-compliance with this ITP to CDFW within 24 hours.	ITP Condition # 6.2	Entire Project	Permittee	
26	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 Biologist shall prepare daily written observation and inspection records summarizing the following: a) oversight activities and compliance inspections, b) observations of Covered Species and their sign, c) survey results, and d) monitoring activities required by this ITP. The Designated Biologist shall conduct compliance inspections a minimum of twice per week during periods of inactivity and after clearing, grubbing, and grading are completed.	ITP Condition # 6.3	Entire Project	Permittee	
27	Monthly Compliance Report. The designated representative or Designated Biologist shall compile the observation and inspection records identified in Condition of Approval 5.5 into a Monthly 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. Monthly Compliance Reports shall detail Project impacts in acres, separated into permanent and temporary impacts. The reports shall: (1) identify and describe the temporary and permanent impacts to date; (2) describe the location, acres, and type of restoration actions that have occurred; and (3) include all monitoring information required by Condition of Approval 8.6. Monthly 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 Robert Stanley (Robert.Stanley@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 # 6.4	Entire Project	Permittee	
28	Annual and Final Construction Reports. No later than 30 days after completion of the Project each year the Permittee shall provide CDFW with an Annual or Final Construction Report. The Designated Biologist shall prepare the Final Construction Report which shall include, at a minimum: (1) a summary of all Monthly Compliance Reports; (2) a copy of the table in the MMRP with notes showing when each of the mitigation measures was implemented; (3) all available information about Project-related incidental take of the Covered Species; (4) information about other Project impacts on the Covered Species; (5) beginning and ending dates of Covered Activities; (6) an assessment of the effectiveness of this ITP's Conditions of Approval in minimizing and fully mitigating Project impacts of the taking on Covered Species; (7) recommendations on how mitigation measures might be changed to more effectively minimize take and mitigate the impacts of future Projects on the Covered Species; (8) Final Isolux Diagram and Lighting Impact Analysis; and (9) any other pertinent information.	ITP Condition # 6.6	Entire Project	Permittee	
29	CNDDDB Observations. The Designated Biologist shall submit all observations of Covered Species to CDFW's California Natural Diversity Database (CNDDDB) within 30 calendar days of the observation and the Designated Biologist shall include copies of the submitted forms with the next Monthly Compliance Report, Annual Construction Report or Final Construction Report, whichever is submitted first relative to the observation.	ITP Condition # 6.5	Entire Project	Permittee	

30	Notification of Take or Injury. Permittee shall immediately notify the Designated Biologist if a Covered Species is taken or injured by a Project-related activity, or if a Covered Species is otherwise found dead or injured within the vicinity of the Project. The Designated Biologist or Designated Representative shall provide initial notification using the contact information below within 24 hours. The initial notification to CDFW shall include information regarding the location, species, and number of animals taken or injured and the ITP Number. Following initial notification, Permittee shall send CDFW a written report within two business days. The report shall include the date and time of the finding or incident, location of the animal or carcass, and if possible provide a photograph, explanation as to cause of take or injury, and any other pertinent information. The report and notification shall also be submitted to CDFW's regional representative Robert Stanley, (707) 339-6534 or Robert.Stanley@wildlife.ca.gov.	ITP Condition # 6.7	Entire Project	Permittee	
31	Time of Day Work Restriction. Any activity that will occur in a previously paved area may occur at any time provided all applicable avoidance and minimization measures for Covered Species are adhered to as specified in this ITP. For any activity that will clear, grub, remove existing unpaved features, excavate embankments, construct drainage features or excavate soil that is not covered by a paved area, the Permittee shall terminate all Covered Activities 30 minutes before sunset and shall not resume Covered Activities until 30 minutes after sunrise unless approved by the CDFW Representative in writing. The Permittee shall use sunrise and sunset times established by the National Oceanic and Atmospheric Administration for determining when Covered Activities shall terminate and resume; https://gml.noaa.gov/grad/solcalc/sunrise.html .	ITP Condition # 7.1	Entire Project	Permittee	
32	Seasonal Work Window. Permittee shall limit ground-disturbing Covered Activities involving construction and heavy equipment use in upland dispersal habitat (such as excavation, grading, trenching and fill activities) to the period between April 15 and October 31, until the expiration of this ITP.	ITP Condition # 7.2	Entire Project	Permittee	
33	Vehicle Speed Limit. All vehicles shall be limited to a speed limit of 20 mph. or less on main roads and access roads at all times within the boundary limits of active construction.	ITP Condition # 7.3	Entire Project	Permittee	
34	Daily Clearance Surveys. The Designated Biologist will conduct daily pre-construction surveys prior to the initiation of work each day within the Project Area throughout the course of the Project. The Designated Biologist shall walk the Project Area and access roads while conducting visual encounter surveys in areas subject to vegetation clearing, grubbing, grading, cut and fill, or other ground disturbing activities. The surveys shall also include the inspection of parked vehicles or equipment prior to their use each day. The Permittee will ensure that a Designated Biologist inspects all staged materials each morning prior to the initiation of construction activities involving disturbance of material piles. Survey notes shall be kept and recorded as specified in this ITP. During active construction multiple biologists shall be required on-site, when needed in circumstances of line-of-sight constraints to ensure all active equipment has a Designated Biologist within view of the Covered Activities.	ITP Condition # 7.4	Entire Project	Permittee	
35	Environmentally Sensitive Areas (ESA). Prior to the start of construction, for each season, ESA fencing consisting of fencing approved in advance by CDFW and the ESA fencing plan shall be submitted to CDFW for review and CDFW approval 30 days prior to the initiation of construction. The ESA plan shall be clearly delineated using high-visibility orange fencing as the primary option to protect sensitive habitats, other options approved in advance by CDFW may be authorized. The ESA signification system will remain in place throughout the duration of the Project. It may be removed during the wet season (and subsequently re-installed) if needed to prevent materials from being washed away. The final Project plans will depict all locations where ESA signification will be installed and how it will be installed. The bid solicitation package special provisions will clearly describe acceptable signification material and prohibited construction-related activities, vehicle operation, material and equipment storage, and other	ITP Condition # 7.5	Entire Project	Permittee	

	surface-disturbing activities within ESAs. ESA materials shall be installed as directed by a Designated Biologist and maintained in good repair throughout the Project as needed.				
36	<p>Covered Species Exclusionary Fencing. An exclusionary fencing system plan shall be submitted for CDFW review and approval 30 days prior to the initiation of construction each season. All applicable exclusionary fencing systems shall not have gaps or breaks and shall be required to encompass access roads, staging areas and active construction areas as to not allow outside access of Covered Species into work areas. The plan submission shall be in map form illustrating the proposed alignment and shall include design drawings and a list of the materials to be employed. All material stockpiles and Project related equipment must be stored within the fenced staging area when not in use.</p> <p>Immediately following the conclusion of vegetation clearing described below, the staging area, access roads and Project Area shall be checked for Covered Species and shall have exclusionary fencing installed around each area. The fencing will be standard silt fencing at least forty-two (42) inches in height that will be trenched a minimum of four (4) inches into the soil. The soil will then be compacted against both sides of the fence to prevent wildlife from gaining access underneath. The stakes will be placed on the Project side of the fence. No gaps or holes are permitted in the fencing system. Alternative exclusion systems such as PVC panels may also be employed upon written request and approval to CDFW. One-way doors may also be utilized, provided they are routinely monitored on a weekly basis for functionality and approved in advance by CDFW.</p> <p>Any vegetation outside the direct area of fencing within a three (3) foot perimeter must be cleared to a height of six (6) inches and maintained throughout the duration of this Project at this height. The vegetation within these areas shall be mowed or trimmed to a height of six inches, using hand tools, weed-trimmers, and mowers as necessary. No heavy motorized equipment (i.e., tractor) may be employed for vegetation removal without approval from CDFW. A Designated Biologist must be present during all vegetation removal activities.</p> <p>Prior to the initiation of construction each day, the fence shall be inspected daily by a Designated Biologist or biological monitor for holes, gaps, or access points, which shall be repaired upon discovery. The area inside the fence shall also be inspected for trapped Covered Species prior to the initiation of construction each day. If a Covered Species is discovered the Covered Species shall be monitored until it has left the fenced area on its own accord, no work shall occur during this period. If the Covered Species does not leave on its own accord the Designated Biologist with the appropriate approvals may relocate the species in accordance with Condition of Approval 7.14 for Covered Species Relocation.</p>	ITP Condition # 7.6	Entire Project	Permittee	
37	Wildlife Exclusion Fencing Refuge Areas/Cover Boards. The Permittee shall provide refuge opportunities in the form of cover boards (at least 2-foot x 2-foot plywood minimum size), along the Covered Species exclusion fence on both sides of the fence. Permittee shall submit a design of the barrier and refuge opportunities no less than 30 days prior to the initiation of construction each season to CDFW for approval. The Designated Biologist shall inspect refuge areas each morning, as well as, during and after rain events. Covered Species within the interior fence should be given the ability to leave on their own accord before active relocation is attempted. All Species found shall be identified, recorded and submitted to CDFW in the Final Construction Report and reported to CNDDDB as specified in this ITP. All wildlife shall be relocated to a safe location outside the Project Area.	ITP Condition # 7.7	Entire Project	Permittee	
38	Trench Escape and Inspection. To prevent inadvertent entrapment of Covered Species, the Designated Biologist (s) shall oversee the covering of all trenches, holes, sumps, or other excavations with a 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 Covered Species 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 prior to beginning	ITP Condition # 7.8	Entire Project	Permittee	

	Covered Activities and immediately before trenches, holes, sumps, or other excavations are back-filled, the Designated Biologist(s) and/or construction foreman/manager shall thoroughly inspect them for Covered Species. Trenches, holes, sumps, or other excavations that are covered long-term shall be inspected at the beginning of each working day to ensure inadvertent entrapment has not occurred. Permittee shall cease all Covered Activities in the vicinity and notify the Designated Biologist(s) immediately if any worker discovers that Covered Species have become trapped. If at any time trapped Covered Species are discovered by the Designated Biologist or anyone else, the Designated Biologist capture and relocate the Covered Species to a safe nearby location per Condition of Approval 7.14. If open holes, sumps, trenches or excavations cannot be covered then a temporary barrier shall be installed around any trenches, holes, sumps, or other excavations to prevent Covered Species from becoming trapped.				
39	Inspection of Pipes and Culverts. All construction pipes, culverts, or similar structures that are stored at the Project site for one or more overnight periods shall be securely capped prior to storage or inspected by the Designated Biologist before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a Covered Species is discovered inside a pipe by the Designated Biologist or anyone else, the Covered Species shall be allowed to leave its own accord, or if it can be safely captured, it shall be relocated by the Designated Biologist to a suitable location outside of the Project Area and in accordance with the Condition of Approval 7.14.	ITP Condition # 7.9	Entire Project	Permittee	
40	Vehicle and Equipment Inspection. Workers shall inspect for Covered Species under vehicles and equipment before the vehicles and equipment are moved. If a Covered Species is present, the worker shall wait for the Covered Species to move unimpeded to a safe location. Alternatively, the Permittee shall contact the Designated Biologist to determine if the Designated Biologist can safely move the Covered Species in Accordance with Condition of Approval 7.14.	ITP Condition # 7.10	Entire Project	Permittee	
41	Mark Covered Species Nest/Dens/Burrows. Nests, Dens, Burrows or suitable areas for Covered Species subterranean activities shall be marked by the Designated Biologist within a reasonable dispersal distance of the Project Area to alert biological and work crews to their presence each season using flags, exclusion fencing or a reasonable method accepted in advance by CDFW. Where feasible, an avoidance buffer of 250 feet (the distance may be altered at the discretion of the Designated Biologist in consultation with CDFW) or greater around areas shall be maintained using wildlife exclusion fencing or environmentally sensitive area fencing as specified in this Permit. Nests, Dens and Burrows in areas of impact shall be excavated by hand to allow the detection and relocation of Covered Species as necessary. Alterations to the hand excavation requirement of dens to employ camera scopes or to utilize powered equipment to remove soil may be authorized by written request to and written approval from CDFW.	ITP Condition # 7.11	Entire Project	Permittee	
42	Prohibit Introduction of Invasive Species and Disease. 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. Prevention best management practices (BMP) and guidelines for invasive plants can be found on the Cal-IPC's website at: http://www.cal-ipc.org/ip/prevention/index.php and for invasive mussels and aquatic species can be found at the Stop Aquatic Hitchhikers website: http://www.protectyourwaters.net/ .	ITP Condition # 7.13	Entire Project	Permittee	
43	Covered Species Relocation Plan. The Designated Biologist (s) shall prepare a Covered Species Relocation Plan (Relocation Plan). The Relocation Plan shall include, but not be limited to, pre-activity survey methodology appropriate for the season, hand excavation, capture, handling, and relocation methods; and identification of where the individuals will be relocated to. The relocation areas shall be identified by the Designated Biologist(s) based upon best suitable habitat available and time of year and approved by CDFW prior to the start of Covered Activities. The Relocation Plan shall be submitted to CDFW for approval prior to the beginning of Covered Activities. Covered Activities anywhere within the Project Area may not proceed until the	ITP Condition # 7.14	Entire Project	Permittee	

	Relocation Plan is approved in writing by CDFW. Only the approved Designated Biologist(s) are authorized to capture and handle the Covered Species.				
44	<p>Covered Species Handling and Injury. If an injured Covered Species is found during the Project term, the Designated Biologist shall evaluate the individual and immediately contact the CDFW regional representative, via email and telephone, to discuss the next steps. If the CDFW regional representative cannot be contacted immediately, the Designated Biologist shall place the injured individual in a safe and shaded location. Any injured California tiger salamanders shall be placed in a shaded container and kept moist, and shall be handled and assessed according to the Restraint and Handling of Live Amphibians, USGS, National Wildlife Health Center (D. Earl Greene, ARMI SOP NO. 100; 16 February 2001; http://www.nwhc.usgs.gov/publications/amphibian_research_procedures/handling_and_restraint.jsp). If the CDFW Regional Representative is not available or has not responded within 15 minutes of initial attempts, then the following steps shall be taken:</p> <p>If the injury to the Covered Species is minor or healing and the individual is likely to survive, the individual shall be released immediately (see Condition of Approval 6.7).</p> <p>If it is determined that the Covered Species has major or serious injuries as result of Project-related activities, then the Designated Biologist shall immediately take it to the Lindsay Wildlife Museum or another CDFW-approved facility. If taken into captivity the individual shall remain in captivity and not be released into the wild unless it has been kept in quarantine and the release is authorized by CDFW and the U.S. Fish and Wildlife Service. Permittee shall bear any costs associated with the care or treatment of such injured Covered Species. The circumstances of the injury, the procedure followed and the final disposition of the injured animal shall be documented in a written incident report as described in Condition of Approval 6.7.</p>	ITP Condition # 7.15	Entire Project	Permittee	
45	Temporary Project Lighting. All temporary Project lighting associated with construction staging areas, access routes and construction sites shall be shut down upon the completion of work each day and not used as security lighting overnight. Temporary Project lighting on the surface of the road shall be directed towards the road surface and shall not be directed into areas outside of the road surface to prevent additional light pollution and disruption of nocturnal wildlife activity. Baffles, adjusted mast heights and adjusted reach arms and other various shading devices may be employed to prevent additional light pollution.	ITP Condition # 7.17	Entire Project	Permittee	
46	Permanent Project Lighting. All new installations or replacements of previously existing light emitters or bulb types for permanent use within the Project site shall have an output of 2,700 kelvin or less, shall be fitted with back-shielding, and the surface area of the light shall be directed so that it does not project into natural lands. The Isolux Analysis baseline of current lighting conditions is illustrated in Figure 3, Proposed Isolux Values Map, that establishes the baseline existing conditions and the proposed lighting output of new and replacement emitters over the surface area of natural lands. An Isolux analysis shall also be required upon completion of construction to determine actual light levels. All permanent lighting shall be directed towards the surface of the road and employ adjusted mast height and adjusted reach arm lengths to reduce light pollution into natural lands. Additional mitigation may be required by CDFW if an increase in lighting output is determined to occur onto natural lands greater than the initial projections noted in Figure 3, Proposed Isolux Values Map, when compared to the Final Isolux Diagram that measures the real-world lighting outputs. Within 60 days of project completion, as part of the Final Construction Report, a final Isolux diagram shall be submitted that illustrates field verified lighting impacts.	ITP Condition # 7.18	Before, During and After Construction	Permittee	
47	Weather Restrictions. Permittee shall monitor the National Weather Service 72-hour forecast for the Project Area. Covered Activities shall cease if there is a 40 percent chance of precipitation or greater in the National Weather Service 72-hour forecast for the Project Area. Covered Activities may continue 24 hours after the rain ceases if there is less than a 40 percent chance of precipitation in the 24-hour forecast.	ITP Condition # 7.19	Entire Project	Permittee	

48	Notification of Non-Native Tiger Salamanders or Hybrids. The Designated Biologist shall immediately notify CDFW if a suspected non-native barred tiger salamander (<i>Ambystoma tigrinum mavortium</i>) or California tiger salamander/non-native hybrid is found within the Project Area within 24 hours by calling CDFW's regional representative. The Designated Biologist shall not release any suspected non-native or hybrid salamanders back to the wild until directed to do so by CDFW. The Designated Biologist shall follow the Covered Species Handling and Injury Condition of Approval outlined in this ITP (Condition of Approval 7.15).	ITP Condition # 7.20	Entire Project	Permittee	
49	Access Roads. The Designated Biologist shall inspect the entire access route for Covered Species each day when Covered Activities are occurring between April 15 and October 31 of each year. Inspections shall occur in the morning prior to Project related vehicle access (unless Project related vehicle traffic occurs prior to sunrise) and in the afternoon prior to Project related vehicles exiting the Project Area. If a Designated Biologist finds a dead Covered Species on the access route, Permittee shall consult with CDFW to determine appropriate contingency measures and shall implement the measures determined appropriate by CDFW.	ITP Condition # 7.21	Entire Project	Permittee	
POST-CONSTRUCTION					
50	Remove Temporary Flagging, Fencing, and Barriers. Permittee shall remove all temporary flagging, fencing, erosion control, temporary work platforms, temporary access road materials, and/or barriers from the Project Area and vicinity of the stream upon completion of Project activities.	ITP Condition # 7.12	Post-construction	Permittee	
51	Annual and Final Construction Reports. No later than 30 days after completion of the Project each year the Permittee shall provide CDFW with an Annual or Final Construction Report. The Designated Biologist shall prepare the Final Construction Report which shall include, at a minimum: (1) a summary of all Monthly Compliance Reports; (2) a copy of the table in the MMRP with notes showing when each of the mitigation measures was implemented; (3) all available information about Project-related incidental take of the Covered Species; (4) information about other Project impacts on the Covered Species; (5) beginning and ending dates of Covered Activities; (6) an assessment of the effectiveness of this ITP's Conditions of Approval in minimizing and fully mitigating Project impacts of the taking on Covered Species; (7) recommendations on how mitigation measures might be changed to more effectively minimize take and mitigate the impacts of future Projects on the Covered Species; (8) Final Isolux Diagram and Lighting Impact Analysis; and (9) any other pertinent information.	ITP Condition # 6.6	During and Post Construction	Permittee	

ATTACHMENT 2A
DEPARTMENT OF FISH AND WILDLIFE
HABITAT MANAGEMENT LAND ACQUISITION PACKAGE CHECKLIST FOR PROJECT APPLICANTS

The following checklist is provided to inform you of what documents are necessary to expedite the Department of Fish and Wildlife (CDFW) processing of your Habitat Management Land acquisition proposal. Any land acquisition processing requests which are incomplete when received, will be returned. The Region contact will review and approve the document package and forward it to the Habitat Conservation Planning Branch Senior Land Agent with a request to process the land acquisition for formal acceptance.

To: _____
Regional Manager, Region Name

From: _____
Project Applicant

Phone: _____

Tracking #: _____
CDFW assigned permit or agreement #

Project Name: _____

Enclosed is the complete package for the ☐ Conservation Easement OR ☐ Grant Deed

Documents in this package include:

- ☐ Fully executed, approved as to form Conservation Easement Deed or Grant Deed with legal description stamped by a licensed surveyor. Date executed: _____
- ☐ Proposed Lands for Acquisition Form (PLFAF)
- ☐ Phase I Environmental Site Assessment Report Date on report: _____
(An existing report may be used, but it must be less than two years old.)
- ☐ Preliminary Title Report(s) for subject property is enclosed and has been reviewed for Encumbrances, including severed mineral estates, and other easements. The title report must be less than six months old when final processing is conducted.

Included are additional documents:

- ☐ document(s) to support title exceptions
- ☐ document(s) to explain title encumbrances
- ☐ a plot or map of easements/encumbrances on the property
- ☐ Policy of Title Insurance (an existing title policy is not acceptable)
- ☐ County Assessor Parcel Map(s) for subject property
- ☐ Site Location Map (Site location with property boundaries outline on a USGS 1:24,000 scale topo)
- ☐ Final Permit or Agreement (or other appropriate instrument)
Type of agreement: ☐ Bank Agreement ☐ Mitigation Agreement
☐ Permit _____ Other: _____
(write in type of permit)
- ☐ Final Management Plan (if required prior to finalizing permit or agreement or if this package is for a Grant Deed)
- ☐ Biological Resources Report
- ☐ Draft Summary of Transactions ☐ hard copy ☐ electronic copy (both are required)



**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
PROPOSED LANDS FOR ACQUISITION FORM ("PLFAF")**

Date: _____

TO: Regional Representative

Facsimile:

FROM: _____

Applicant proposes that the following parcel(s) of land be considered for approval by the California Department of Fish and Wildlife as suitable for purposes of habitat management lands to compensate the adverse environmental impacts of the Project:

<u>Section(s)</u>	<u>Township</u>	<u>Range</u>	<u>County</u>	<u>Acres</u>
-------------------	-----------------	--------------	---------------	--------------

_____	_____	_____	_____	_____
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Current Legal Owner(s), of the surface and mineral estates, include Assessor's Parcel Number(s):

General Description of Location of Parcel(s):

Land Value: \$

For Region Use Only

APPROVED ____

By: _____
Regional Manager's Signature

DATE: _____

REJECTED ____

Region: _____

Explanation: _____

[Financial institution letterhead]

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

Issue Date: **[date]**

Beneficiary:

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, 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: [***Insert:*** "Lake" **or** "Streambed"] Alteration Agreement (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 CANCELLATION

To:

[Name of financial institution and address]

Re: **[Insert: "Lake" or "Streambed"]** Alteration Agreement (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 provided CDFW with an equivalent security approved by CDFW to replace the Credit."]
2. CDFW therefore requests the cancellation of the Credit.

Therefore, CDFW has executed and delivered this Certificate for Cancellation 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"]

State of California - Department of Fish and Wildlife

MITIGATION PAYMENT TRANSMITTAL FORM

DFW 1057 (NEW 07/28/17)

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 ASB Mitigation Tracking Number (if available) on the attached payment type.

1. DATE: _____ TO: _____ Regional Manager _____ Region 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 ☐ 2835 NCCP ☐ 1802 Agreement ☐ 1600 Agreement ☐ Other _____

 Project Tracking Number
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: _____

ACCOUNTING OFFICE USE ONLY	
Description	FI\$Cal Coding
Speedchart (Project, Program, Reference, Fund)	
Reporting Structure	
Category	
Date Established: _____ By: _____	