



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



December 21, 2021

Craig Geldard, Manager
Pacific Gas and Electric Company
6111 Bolinger Canyon Road, 3rd Floor (3120D)
San Ramon, California 94583

**Subject: Incidental Take Permit for In-Line Inspection Investigative Digs Project
(2081-2020-041-04)**

Dear Mr. Geldard:

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, sign the acknowledgement, and return the original **no later than 30 days from CDFW signature**, and prior to initiation of ground-disturbing activities. 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, California 94244-2090

Alternatively, 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.

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 Kristie Stein, Environmental Scientist, at kristie.stein@wildlife.ca.gov.

Sincerely,

DocuSigned by:
A handwritten signature in black ink, appearing to read "Julie A. Vance".
FA83F09FE08945A...

Julie A. Vance, Regional Manager
Central Region
California Department of Fish and Wildlife

Enclosure



**California Department of Fish and Wildlife
Central Region
1234 EAST SHAW AVENUE
FRESNO, CALIFORNIA 93710**

California Endangered Species Act
Incidental Take Permit No. 2081-2020-041-04

IN-LINE INSPECTION INVESTIGATIVE DIGS PROJECT

I. 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 pursuant to the conditions set forth in Fish and Game Code section 2081, subdivisions (b) and (c). (See Cal. Code Regs., tit. 14, § 783.4).

Permittee:	Pacific Gas & Electric Company
Principal Officer:	Craig Geldard, Manager
Contact Person:	Mallory Hughes, Senior Land Planner
Mailing Address:	Pacific Gas and Electric Company Environmental Management-Gas Transmission 6111 Bollinger Canyon Rd., 3rd floor (3120D) San Ramon, California 94583

II. Effective Date and Expiration Date of this ITP:

This ITP shall become effective when signed by all parties and received by CDFW as described 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, 2022**.

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 4.9 of this ITP.

¹Pursuant to Fish and Game Code section 86, "'take' means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." (See also *Environmental Protection Information Center v. California Department of Forestry and Fire Protection* (2008) 44 Cal.4th 459, 507 [for purposes of incidental take permitting under Fish and Game Code section 2081, subdivision (b), "'take' ... means to catch, capture or kill".)

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

III. Project Location:

The In-Line Inspection Investigative Digs Project (Project) is located along Gas Line 301A west of the City of Hollister, San Benito County, California (See Figure 1). The Project includes five discrete work sites (Work Sites) and associated overland access routes (Access Routes). The five Work Sites along the pipeline are described below:

Site #1 (36.86199353°, -121.37655396°; Figs. 2 and 3) – This site is situated on a residential property in the city of Hollister. The property is along Jonquil Lane, across from the intersection with Rosebud Avenue. Two of the excavations will be within the residential property and accessed along a driveway from Jonquil Lane. A third excavation, if needed, is proposed on a different residential parcel adjacent to and accessed by Kane Drive, approximately 485 feet west of the main excavation site. The site is surrounded by residential land use on all sides.

Site #5 (36.88035132°, -121.49342124°, Figs. 4 and 5) – This site is within grazed annual grassland in the Flint Hills, west of the city of Hollister, and approximately 2.5 miles from the intersection of Buena Vista Road with Highway 152. The site will be accessed from an unpaved ranch road which extends from Buena Vista Road.

Site #5C (36.84761054°, -121.59691897°; Figs. 6 and 7) – This site is approximately 3 miles west of the community of San Juan Bautista within a cleared corridor of annual grassland. The site is initially accessed along an unpaved ranch road which extends from Rocks Road. The ranch road intersects with Rocks Road approximately across from the junction with Little Merrill Road and approximately 1.2 miles west from the intersection of Rocks Road and Highway 156. The site is surrounded to the north and south by oak woodland, mixed oak woodland/annual grassland to the east, and annual grassland to the west.

Site #5D (36.84705797°, -121.59962263°; Figs. 6 and 8) – This site is approximately 620 feet west of Site #5C and will be accessed using the same ranch road, as described above. The site is surrounded by annual grassland.

Site #7 (36.84343705°, -121.60610768°; Figs. 6 and 9) – This site is situated west of Sites #5C and #5D, approximately 3.5 miles west of the community of San Juan Bautista. The site will be accessed using the same ranch road as described in Site #5C and #5D. The site is surrounded by annual grassland.

IV. Project Description:

The Project includes the excavation of five sites along Gas Line 301A to investigate anomalies (i.e., corrosion, dents, or other abnormalities that may compromise the integrity of the pipe) identified during prior in-line inspection of the pipeline. Sites #5, #5C, #5D, and #7

require overland access through annual grassland habitat. All overland Access Routes will have a width of 12 feet. Site #5 will require 290 feet of overland access. Sites #5C and #5D will include overland access from the existing ranch road of 685 feet and 100 feet, respectively, as well as an overland path of 620 feet to allow access between the two Work Sites. Site #7 will require 700 feet of overland travel from the existing ranch road to the Work Site. Prior to access, overland Access Routes and Work Sites will be mowed for fire safety.

At each Work Site, one bell hole will be excavated to expose the pipe along with up to two sniff holes to facilitate repair of anomalies. Crews will excavate sniff holes if the pipeline repairs are determined to require a cutout. The bell hole excavations will be approximately 9 feet wide by 12 feet long, with depths ranging from approximately 7 to 9 feet. Sniff holes are expected to have dimensions of 6 feet by 6 feet and will extend to the top of the pipeline, ranging from approximately 4 to 6 feet in depth. Up to two additional excavations may be required at each of the 5 sites to respond to local field conditions (i.e., to locate the line, to fix additional corrosion discovered during initial excavation, etc.). Work Site size descriptions are as follows:

Site #	Total Excavation Area (square feet); Length (feet) x Width (feet)
1*	7,500; 142 x 50, 20 x 20 (if necessary)
5	12,500; 250 x 50
5C**	25,730; 495 x 45, 157.045 x 22
5D***	12,500; 250 x 50
7****	8,050; 225 x 40

*Site #1 – If a second sniff hole is necessary, it will be approximately 485 feet west of the anomaly site and will require a 20-foot by 20-foot area surrounding the excavation.

**Site #5C – Additional width (approximately 157.045-foot by 22-foot) will be required adjacent to the anomaly excavation site.

***Site #5D – This site is near Site #5C, so the excavation of the downstream sniff hole at Site #5C can be used to assist with locating the anomaly at this site. As a result, only one sniff hole excavation will be required at this location.

****Site #7 – The west end of the Work Site is not square where it meets with a property line that runs diagonal to the pipeline alignment (approximately 950 square feet less, see Figure 9).

The total Project Area for the five Work Sites and associated overland Access Routes is **2.18 acres**.

During investigation, Project activities will include mowing vegetation; fencing installation; excavation; heavy equipment storage; installation of shoring; stockpiling of soils; topsoil stripping and segregation; removal of pipeline coating via sandblasting; re-painting and coating of pipe; possible welding and/or installation of a new pipe segment; installation of Coupon Test Stations (welding two wires to the top of the pipeline and extending them to the surface where they are contained with white and orange conduit); removal of shoring; and backfilling with sand slurry, native soil, and topsoil. Following investigation and repair activities, site restoration will occur. Site restoration will include grading to pre-project contours and conditions and revegetation through application of a seed mix and native topsoil. Equipment needed to perform the above Project activities include excavators and/or hydro-vacuum trucks.

It is estimated that the Project activities will take up to 90 days to complete and are planned to occur between May 15, 2022, and October 15, 2022, to the maximum extent possible. In the event Project activities must be delayed due to weather, Permittee may continue to work beyond the dry season depending on construction status and weather conditions, but will consult with CDFW prior to doing so.

V. Covered Species Subject to Take Authorization Provided by this ITP:

This ITP covers the following species:

Name	CESA Status³
1. California tiger salamander (<i>Ambystoma californiense</i>)	Threatened ⁴

This species and only this species is the “Covered Species” for the purposes of this ITP.

VI. 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 mowing vegetation; fencing installation; excavation; heavy equipment storage; installation of shoring; stockpiling of soils; topsoil stripping and segregation; removal of pipeline coating via sandblasting; re-painting and coating of pipe; possible welding and/or installation of a new pipe segment; installation of Coupon Test Stations; removal of shoring; backfilling with sand slurry, native soil, and topsoil; grading to pre-project contours and conditions; and revegetation through application of a seed mix and native topsoil (collectively, the Covered Activities).

³Under CESA, a species may be on the list of endangered species, the list of threatened species, or the list of candidate species. Under the NPPA, a plant species may be designated as endangered or rare.

⁴See Cal. Code Regs. tit. 14 § 670.5, subd. (b)(3)(G).

Incidental take of individuals of the Covered Species in the form of mortality ("kill") may occur as a result of Covered Activities. This mortality could occur as a result of: construction vehicle/equipment strikes and burrow collapse associated with vegetation removal and earthwork; crushing or suffocation by heavy equipment or laydown of equipment and materials; entrapment and desiccation within trenches, open pipelines, and uncovered excavations; and entombment from deposition of stockpiled soil over occupied burrows. Incidental take of individuals of the Covered Species may also occur from the Covered Activities in the form of pursuit, catch, capture, or attempt to do so through: entrapment in holes or trenches; uncovering individuals during salvage excavation of burrow systems and crevices; collaring into a confined area when barrier fencing is constructed, and when individuals of the Covered Species are salvaged, collected, and relocated or translocated out of harm's way as required by this ITP.

The Project is expected to cause the temporary loss of 2.00 acres of habitat for the Covered Species at overland Access Routes (1.521 acres) and Work Sites #5, #5C, #5D, and #7 (0.479 acres). Work Site #1 is a 0.18-acre residential yard surrounded by other residential properties, which along with the residents use of the backyard for their own enjoyment, limit opportunities for the Covered Species to use the property because of reduced connectivity and likely on-going disturbance that reduces the habitat quality.

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 resulting from noise and vibrations from ground disturbance, equipment operation, and traffic; stress resulting from capture and relocation; increased exposure or stress from disorientation; and long-term effects due to displacement from preferred habitat, loss of foraging habitat, increased competition for food and space, loss of burrowing habitat used for shelter, reproduction, and escape cover, and increased vulnerability to predation. Individuals displaced due to habitat loss and degradation may be unable to survive in adjacent areas if these areas are at carrying capacity or are unsuitable for colonization. The areas where authorized take of the Covered Species is expected to occur include: 1.521 acres for overland Access Routes and 0.659 acres for Work Sites (Site #1, Site #5, Site #5C, Site #5D, and Site #7), collectively, the Project Area.

VII. 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

Incidental Take Permit
No. 2081-2020-041-04
PACIFIC GAS & ELECTRIC COMPANY
ILI INVESTIGATIVE DIGS PROJECT

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.

VIII. 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, equipment and materials staging and parking, and those areas where 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. ITP Time Frame Compliance:** Permittee shall fully implement and adhere to the conditions of this ITP within the time frames set forth below and as set forth in the Mitigation Monitoring and Reporting Program (MMRP), which is included as Attachment 1 to this ITP.
- 3. General Provisions:**
 - 3.1. 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.
 - 3.2. Designated Biologist(s) and Designated Monitor(s).** Permittee shall submit to CDFW, for approval, in writing the name, qualifications, business address, and contact information of the Designated Biologist(s) and Designated Monitor(s) using the Biologist Resume Form (Attachment 2) or another format containing the same information before starting Covered Activities. Permittee shall ensure that the Designated Biologist(s) and Designated Monitor(s) are knowledgeable and experienced in the biology, natural history, and collection and handling of the Covered Species. The Designated Biologist(s) and Designated Monitor(s) 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. Designated Monitor responsibilities will be

restricted to a specific set of Conditions of Approval and may assist the Designated Biologist in compliance monitoring under direction of the Designated Biologist. Permittee shall obtain CDFW approval of the Designated Biologist(s) and Designated Monitor(s) in writing before starting Covered Activities and shall also obtain approval in advance, in writing, if the Designated Biologist must be changed.

- 3.3. Designated Biologist Authority.** To ensure compliance with the Conditions of Approval of this ITP, the Designated Biologist shall immediately stop any activity that does not comply with this ITP, and/or order any reasonable measure to avoid the unauthorized take of an individual of the Covered Species. Permittee shall provide unfettered access to the Project Site and otherwise facilitate the Designated Biologist in the performance of his/her duties. If the Designated Biologist is unable to comply with the ITP, then the Designated Biologist shall notify the CDFW Representative immediately. Permittee shall not enter into any agreement or contract of any kind, including but not limited to non-disclosure agreements and confidentiality agreements, with its contractors and/or the Designated Biologist that prohibit or impede open communication with CDFW, including but not limited to providing CDFW staff with the results of any surveys, reports, or studies or notifying CDFW of any non-compliance or take. Failure to notify CDFW of any non-compliance or take or injury of a Covered Species as a result of such agreement or contract may result in CDFW taking actions to prevent or remedy a violation of this ITP.
- 3.4. 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 prepare and distribute wallet-sized cards or a fact sheet handout containing this information for workers to carry in the Project Area. 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. 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.

- 3.5. Construction Monitoring Documentation.** The Designated Biologist(s) shall maintain construction-monitoring documentation on-site in either hard copy or digital 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 documentation is available for review at the Project site upon request by CDFW.
- 3.6. Trash Abatement.** Permittee shall initiate a trash abatement program before starting Covered Activities and shall continue the program for the duration of the Project. Permittee shall ensure that trash and food items are contained in animal-proof containers and removed, ideally at daily intervals but at least once a week to avoid attracting opportunistic predators such as ravens, coyotes, skunks, and domesticated/feral cats and dogs.
- 3.7. Dust Control.** Permittee shall implement dust control measures during Covered Activities to facilitate visibility for monitoring of the Covered Species by the Designated Biologist. Permittee shall keep the amount of water used to the minimum amount needed and shall not allow water to form puddles.
- 3.8. Fire Prevention.** Permittee shall implement fire prevention measures during Covered Activities including, but not limited to: (1) all motorized vehicles shall be equipped with spark arrestors when working in designated State Responsibility Areas, (2) during welding operations, ensure a water-filled backpack pump, a shovel, and fire-resistant mats and/or windscreens are available onsite, (3) prohibit welding operations during "red flag" conditions as determined by the California Department of Forestry and Fire Protection, (4) all fuel trucks shall be equipped with an appropriate fire extinguisher, and (5) parking and storage areas shall be cleared of all flammable materials.
- 3.9. Erosion Control Materials.** Permittee shall prohibit use of erosion control materials potentially harmful to the Covered Species and other species, such as monofilament netting, photodegradable mesh (erosion control matting) or similar material, in potential Covered Species' habitat. Permittee shall deploy erosion control mats, blankets, or coir rolls that consist of only natural-fiber, biodegradable materials.
- 3.10. Delineation of Property Boundaries.** Before starting Covered Activities, the Permittee shall clearly delineate the boundaries of the active Project Area where the Covered Activities will occur with fencing, stakes, or flags. Permittee shall restrict all Covered Activities to within the fenced, staked, or flagged Project Area.

Permittee shall maintain all fencing, stakes, and flags until the completion of Covered Activities.

- 3.11. 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.
- 3.12. 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. Permittee shall ensure that vehicle speeds do not exceed 15 miles per hour to avoid Covered Species on or traversing the roads. 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.
- 3.13. Staging Areas.** Permittee shall confine all Project-related parking, storage areas, laydown sites, equipment storage, and any other surface-disturbing activities to the Project Area using, to the extent possible, previously disturbed areas. Additionally, Permittee shall not use or cross Covered Species' habitat outside of the marked Project Area unless provided for as described in Condition of Approval 3.12 of this ITP.
- 3.14. 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.
- 3.15. CDFW Access.** Permittee shall provide CDFW staff with reasonable access to the Project and any 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.
- 3.16. Refuse Removal.** Upon completion of Covered Activities, Permittee shall remove from the Project Area and properly dispose of all temporary fill and construction

refuse, including, but not limited to, broken equipment parts, wrapping material, cords, cables, wire, rope, strapping, twine, buckets, metal or plastic containers, and boxes.

4. Monitoring, Notification and Reporting Provisions:

- 4.1. Notification Before Commencement.** The Designated Representative shall notify CDFW 3 calendar days before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities.
- 4.2. Covered Species Mortality Reduction and Relocation Plan.** Prior to conducting the Pre-Activity Clearance Survey (Condition of Approval 5.3) and any Covered Activities, the Designated Biologist shall prepare a *Covered Species Mortality Reduction and Relocation Plan* and submit it to CDFW for approval. The *Covered Species Mortality Reduction and Relocation Plan* shall include, but not be limited to, a discussion (and map) of the Project Area boundary including the location of known or potential breeding habitat within 562 meters of the Project Area and the area within 562 meters of known or potential breeding habitat for the Covered Species; identification of survey, burrow/crevice excavation technique(s), capture, handling, and relocation methods; identification of relocation areas; and identification of a wildlife rehabilitation center or veterinary facility. Covered Activities within the Project Area may not proceed until the *Covered Species Mortality Reduction and Relocation Plan* is approved in writing by CDFW. Designated Monitors are prohibited from capturing and handling Covered Species unless approved in writing by CDFW and working under the direct supervision of the Designated Biologist.
- 4.3. Pre-Activity Clearance Survey Report.** Permittee shall provide the results of the Pre-Activity Clearance Survey (Condition of Approval 5.3) to CDFW in a written report prior to the beginning of Covered Activities.
- 4.4. Compliance Monitoring.** The Designated Biologist/Designated Monitor shall be on-site daily when Covered Activities occur. The Designated Biologist shall conduct compliance inspections to:
 - (1) minimize incidental take of the Covered Species;
 - (2) prevent unlawful take of species;
 - (3) check for compliance with all measures of this ITP;

(4) check all exclusion zones; and

(5) ensure that signs, stakes, and fencing are intact; and that Covered Activities are only occurring in the Project Area.

The Designated Representative or Designated Biologist shall prepare daily written observation and inspection records summarizing oversight activities and compliance inspections, observations of Covered Species and their sign, survey results, and monitoring activities required by this ITP.

- 4.5. Notification of Non-compliance.** The Designated Representative shall immediately notify CDFW if the Permittee is not in compliance with any Condition of Approval of this ITP, including but not limited to any actual or anticipated failure to implement measures within the time periods indicated in this ITP and/or the MMRP. The Designated Representative shall follow up within 24 hours with a written report to CDFW describing, in detail, any non-compliance with this ITP and suggested measures to remedy the situation.
- 4.6. Record of Covered Species Observation and Relocation Efforts.** The Designated Biologist shall maintain a record of all Covered Species handled, and all documented observations of Covered Species. This information shall include for each animal: (1) the locations (Global Positioning System (GPS) coordinates and maps) and time of capture and/or observation as well as release; (2) sex; (3) approximate age (adult/juvenile); (4) weight; (5) general condition and health, noting all visible conditions including gait and behavior, emaciation, and injuries; and (6) ambient temperature when handled and released. The Designated Biologist shall satisfy all reporting requirements outlined in Conditions of Approval 4.9 and 4.11 below and shall also prepare a Relocation Summary and include it in the Monthly Compliance Report described in Condition of Approval 4.7 below. The Relocation Summary in the Final Mitigation Report, described in Condition of Approval 4.10 below, shall include cumulative results, analysis of data collected, and conclusions.
- 4.7. Monthly Compliance Report.** The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in Conditions of Approval 4.4, 4.6, and 4.9 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. Reports for the prior month shall be submitted no later than the 10th of the following month. Monthly Compliance Reports shall be submitted to the CDFW offices listed in the Notices section of this ITP and 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 Kristie Stein (Kristie.Stein@wildlife.ca.gov) Regional Office CESA Program email is R4CESA@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.

- 4.8. CNDDDB Observations. The Designated Biologist shall submit all observations of Covered Species to CDFW's California Natural Diversity Database (CNDDDB) within 60 calendar days of the observation and the Designated Biologist shall include copies of the submitted forms with the next Monthly Compliance Report.
- 4.9. Final Mitigation Report. No later than 45 days after completion of all mitigation measures, Permittee shall provide CDFW with a Final Mitigation Report. The Designated Biologist shall prepare the Final Mitigation Report which shall include, at a minimum: (1) a summary of all 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; and (8) any other pertinent information.
- 4.10. Notification of Take or Injury. Permittee, their employees, agents, contractors, or sub-contractors shall immediately notify the Designated Biologist(s) 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 to CDFW by calling the Regional Office at (559) 243-4005. 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 calendar days of the discovery. The report shall include the date and time of the finding or incident, GPS 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.

5. 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:

- 5.1. Seasonal Work Window.** Permittee shall complete Covered Activities between May 15 and October 15 unless otherwise pre-approved by the CDFW in writing.
- 5.2. Designated Biologist On-Site.** The Designated Biologist shall be on site for the duration of Covered Activities each workday.
- 5.3. Pre-Activity Clearance Surveys and Reporting.** No more than 14 days prior to any vegetation- or ground-disturbing activities at the Project Area, the Designated Biologist shall survey that part of the Project Area which represents potential habitat for the Covered Species. These surveys shall provide 100 percent visual coverage of the potential habitat (including burrow and crevice openings) at the Project Area as well as a 50-foot buffer zone around the Project Area. If individuals of the Covered Species are found, the Designated Biologist(s) shall relocate them from the Project Area in accordance with the CDFW-approved *Covered Species Mortality Reduction and Relocation Plan* (Condition of Approval 4.2). The Permittee shall provide the survey results to CDFW in a written report prior to the beginning of Covered Activities within the Project Area.
- 5.4. Flag Burrows/Crevice.** During the Pre-Activity Clearance Surveys (Condition of Approval 5.3), the Designated Biologist shall flag all animal burrows and crevices suitable for Covered Species occupancy within each Project Area and a 50-foot buffer outside the Project Area. An avoidance buffer of 50 feet or greater around animal burrows/crevices shall be maintained regardless of if the burrow/crevice is in the Project Area or solely within the Project Area's 50-foot buffer zone. Flagged burrows/crevices which occur within 562 meters of known or potential breeding habitat and which cannot be avoided by 50 feet shall be fully excavated in accordance with Condition of Approval 5.5 below.
- 5.5. Animal Burrow and Crevice Excavation.** Prior to any vegetation- or ground disturbing activities, those animal burrows and crevices identified during the Pre-Activity Clearance Surveys (Condition of Approval 5.3) and flagged (Condition of Approval 5.4) within 562 meters of known or potential Covered Species breeding habitat as identified in a *Covered Species Mortality Reduction and Relocation Plan* (Condition of Approval 4.2), and which cannot be fully avoided by at least 50 feet, shall be fully excavated. Applicable burrows/crevices may be excavated by hand or in a manner otherwise approved by CDFW in accordance with the

CDFW-approved *Covered Species Mortality Reduction and Relocation Plan* (Condition of Approval 4.2). Burrow/crevice excavation shall occur under the direct supervision of the Designated Biologist(s).

Those animal burrows and crevices identified outside but within 50 feet of Project Areas shall be similarly excavated if they occur within 50 feet of ground disturbance within the Project Area. This excavation requirement applies regardless of whether the burrow/crevice is located within the Project Area or within 50 feet of the Project Area, except for the following instances, in which excavation is not needed:

- (1) burrows/crevices outside of the Permittee's access and/or control; or
- (2) burrows/crevices outside the Project Area but within 50 feet of Access Routes.

The Designated Biologist(s) shall relocate any live Covered Species discovered during burrow/crevice excavation in accordance with the *Covered Species Mortality Reduction and Relocation Plan* required in Condition of Approval 4.2 above.

Excavation shall occur no more than 14 days after the completion of the Pre-Activity Clearance Surveys as described in Condition of Approval 5.3.

- 5.6. Covered Species Exclusion Fencing.** After surveying, flagging, and excavating small mammal burrows and prior to any surface disturbance, in accordance with Conditions of Approval 5.3, 5.4, and 5.5 above, Permittee shall install exclusion fencing around the perimeter of the Project Area to prevent individuals of the Covered Species from migrating into the cleared Area. Areas to be fenced include Site #1, Site #5, Site #5C, Site #5D, and Site #7, but **do not** include the linear overland Access Routes. The Covered Species exclusion fencing shall be installed in accordance with a *Covered Species Exclusion Plan* reviewed and approved in writing by CDFW before exclusion fencing installation. The exclusion fence shall be installed under the direct supervision of the Designated Biologist and no later than 48 hours **after** the burrow/crevice excavation and relocation work is completed. The Permittee shall also avoid animal burrows and crevices to the maximum extent possible during the installation of the exclusion fence. When animal burrows and crevices that are within 562 meters of known or potential Covered Species breeding habitat cannot be avoided by a 50-foot no-disturbance buffer from the fence line, they shall be excavated as described in Condition of Approval 5.5, above, prior to commencing fence installation. Temporary exclusion fencing shall be removed immediately upon completion of Covered Activities in the fenced Project Area.

- 5.7. Covered Species Observations.** During all Covered Activities, all workers shall inform the Designated Biologists(s) if an individual of the Covered Species is observed at the Project Area. All work in the vicinity of the observed Covered Species, which could injure or kill the animal, shall cease immediately until the

Designated Biologist(s) can relocate the Covered Species following the CDFW approved *Covered Species Mortality Reduction and Relocation Plan* specified in Condition of Approval 4.2.

- 5.8. Covering, Ramping, and Inspecting Excavations.** To prevent inadvertent entrapment of Covered Species or any other animals during the construction phase of the Project, Permittee shall ensure that all excavated, steep-walled holes or trenches are covered and inspected as described below. Permittee shall ensure that all trenches, holes, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope are covered when workers and/or equipment are not actively working in them and at the end of each work day. Covers shall be made of plywood or similar solid material. Permittee shall ensure that the edges of the covers are covered with dirt to prevent Covered Species from crawling under them. Worker(s) shall thoroughly inspect all trenches, holes, or other excavations for Covered Species (or other wildlife) before they are back-filled. If a situation is encountered that this measure does not anticipate and alternative methods of preventing entrapment or injury in excavations are warranted, then Permittee shall request and obtain CDFW's written concurrence prior to implementing the alternative. If any worker discovers that Covered Species have become trapped, Permittee shall cease all Covered Activities in the vicinity and notify the Designated Biologist(s) immediately. Project workers and the Designated Biologist(s) shall allow Covered Species to escape unimpeded if possible before Covered Activities are allowed to continue, or the Designated Biologist(s) shall capture and relocate the Covered Species as per the *Covered Species Mortality Reduction and Relocation Plan* required in Condition of Approval 4.2.
- 5.9. 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 notify the Designated Biologist and wait for the Covered Species to move unimpeded to a safe location. Alternatively, the Designated Biologist(s) shall move the Covered Species out of harm's way outside of the Project Area and in compliance with the approved *Covered Species Mortality Reduction and Relocation Plan* required in Condition of Approval 4.2.
- 5.10. Materials Inspection.** Workers shall thoroughly inspect all construction pipe, culverts, or other similar structures with a diameter of one inch or greater that are stored for one or more overnight periods for the Covered Species before the object is subsequently moved, buried, or capped. If during inspection, an individual of the Covered Species is discovered inside a pipe, culvert, or similar structure, the Designated Biologist shall move the Covered Species out of harm's way outside of

the Project Area and in compliance with the approved *Covered Species Mortality Reduction and Relocation Plan* required in Condition of Approval 4.2.

- 5.11. Precipitation.** The Designated Biologist and Permittee shall monitor the National Weather Service 72-hour forecast for the Project Area. If a 60 percent or greater chance of rainfall is predicted within 72 hours, Permittee shall cease all Covered Activities in all portions of the Project Area where ground disturbance (vegetation removal, grading, excavation, etc.) has yet to finish until a zero percent chance of rain is forecast. Work may continue 24 hours after the rain ceases and there is a zero percent chance of precipitation in the 72-hour forecast.
- 5.12. Work Hours.** Permittee shall terminate all Covered Activities 30 minutes before sunset and shall not resume Covered Activities until 30 minutes after sunrise during the seasonal work window. The Permittee shall use sunrise and sunset times established by the United States Naval Observatory Astronomical Applications Department for determining when Covered Activities shall terminate and resume. Except when necessary for construction, or driver/pedestrian safety, Permittee shall minimize lighting of the Project Area by artificial lighting during nighttime hours to the maximum extent practicable.
- 5.13. Soil Stockpiles.** Permittee shall place soil stockpiles where soil shall not pass into potential Covered Species breeding habitat; nor shall it pass into any other "Waters of the State," in accordance with Fish and Game Code 5650. Permittee shall appropriately protect stockpiles to prevent soil erosion, in accordance with Condition of Approval 3.9 above. Care shall be taken so that all traces of the disinfectant are removed before entering the next aquatic habitat.
- 5.14. Fieldwork Code of Practice.** To ensure that the Designated Biologist(s) do not convey disease between Work Sites, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force Fieldwork Code of Practice (see Attachment 3) shall be followed at all times. The Designated Biologist(s) may substitute a bleach solution (0.5 to 1.0 cup of bleach to 1.0 gallon of water) for the ethanol solution.
- 5.15. Covered Species Injury.** If a Covered Species is injured as a result of Project-related activities, the Designated Biologist shall immediately take it to a CDFW approved wildlife rehabilitation or veterinary facility that routinely evaluates and treats amphibians. As required in Condition of Approval 4.2, Permittee shall identify the facility before starting Covered Activities. Permittee shall bear any costs associated with the care or treatment of such injured Covered Species. The Permittee shall notify CDFW of the injury to the Covered Species immediately by

telephone and e-mail followed by a written incident report as described in Conditions of Approval 4.6 and 4.10. Notification shall include the name of the facility where the animal was taken.

- 6. 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 from 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.

To meet this requirement, the Permittee shall provide proof of purchase of 2.2 acres of Covered Species upland habitat credits from a CDFW-approved mitigation or conservation bank (pursuant to Condition of Approval 6.1).

- 6.1. Covered Species Credits.** Permittee shall provide for the permanent protection and management of 2.2 acres of Habitat Management (HM) lands and shall do so by subtracting 2.2 from the 75 California tiger salamander (CTS) upland habitat credits reserved at the Sparling Ranch Conservation Bank by the permittee on March 28, 2018. The Permittee shall provide proof of 2.2 acres of CTS upland habitat credits assigned to this Project to CDFW within 30 days of the effective date of this ITP and prior to the start of Covered Activities. After subtraction of the 2.2 acres upland habitat credits, the Permittee has a remaining 72.8 CTS upland habitat credits available for future projects. The CDFW-approved Sparling Ranch Conservation Bank has a service that encompasses the Project Area and is known to provide high quality breeding and upland habitat for the Covered Species, has been conserved in perpetuity through a conservation easement, and has funds for long-term management of the conserved lands. Endowment costs are included in the sale price of conservation credits.
- 6.2. Habitat Restoration.** Permittee shall restore the complete acreage of Covered Species habitat that will be temporarily disturbed during Covered Activities to pre-project or better conditions. Within three months of issuance of this ITP, the Permittee shall prepare a *Vegetation Restoration Plan* to facilitate revegetation of the complete acreage of temporary ground disturbance on-site and shall submit the Plan to CDFW for approval. At a minimum, the plan shall include the following information for the Restoration Areas: (1) an aerial map that identifies the location of the areas to be revegetated; (2) a description of the existing physical and biological conditions of the areas prior to commencement of any restoration or

enhancement activities; (3) a California native plant palette and seed sources; (4) a planting plan, including seed application method; (5) procedures to ensure that nonnative plants are not introduced or allowed to sustain within the areas; and (6) success standards and contingency measures if the first application is unsuccessful.

IX. 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.

X. Stop-Work Order:

If CDFW determines the Permittee has violated any term or condition of this ITP or has engaged in unlawful take, CDFW may issue Permittee a written stop-work order instructing the Permittee to suspend any Covered Activity for an initial period of up to 30 days or risk suspension or revocation of this ITP. CDFW can issue a stop-work order 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, regardless of whether that species is a Covered Species under this ITP. 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 30 additional days.

If Permittee fails to remedy the violation or to comply with a stop-work order, CDFW may proceed with suspension and revocation of this ITP. 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.

XI. Liability:

All terms and conditions of this ITP shall be binding upon each Permittee. Notwithstanding California Civil Code section 1431 or any other provision of law, each Permittee shall be jointly and severally liable for performance of all terms, conditions, and obligations of this ITP and shall be jointly and severally liable for any unauthorized take or other violations of this ITP, whether committed by Permittees or any person acting on behalf of one or more Permittees, including their officers, employees, representatives, agents or contractors and

subcontractors. Any failure by one or more Permittees to comply with any term, condition, or obligation herein shall be deemed a failure to comply by all Permittees.

XII. 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.

XIII. Notices:

The Permittee shall sign and return this ITP to CDFW. A manual or digital signature is acceptable, provided a digital signature complies with Government Code section 16.5. Digital signatures facilitated by CDFW will be automatically returned. Manual (wet) signatures on duplicate original paper copies shall be returned by the Permittee via 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, California 94244-2090

Written notices, reports and other communications relating to this ITP shall be delivered to CDFW by email or registered first class mail at the following address, or at addresses CDFW may subsequently provide the Permittee. Notices, reports, and other communications shall reference the Project name, Permittee, and ITP Number (2081-2020-041-04) in a cover letter and on any other associated documents.

Original cover with attachment(s) to:

Julie A. Vance, Regional Manager
California Department of Fish and Wildlife
1234 East Shaw Avenue
Fresno, California, 93710
Telephone (559) 243-4014
R4CESA@wildlife.ca.gov

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No. 2081-2020-041-04
PACIFIC GAS & ELECTRIC COMPANY
ILI INVESTIGATIVE DIGS PROJECT

and a copy to:

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

Kristie Stein
California Department of Fish and Wildlife
1234 East Shaw Avenue
Fresno, California, 93710
Kristie.Stein@wildlife.ca.gov

XIV. Compliance with the California Environmental Quality Act:

As the "public agency which has the principal responsibility of...approving [the Project]," (Pub. Resources Code, § 21067), CDFW is the lead agency for the Project for purposes of complying with the California Environmental Quality Act (CEQA, Pub. Resources Code, § 21000 et seq.). CDFW has determined that this Project is statutorily exempt from CEQA because it is an action "necessary to prevent or mitigate an emergency." (Pub. Resources Code, §21080, subd. (b)(4)) and "specific actions necessary to prevent or mitigate an emergency" Cal. Code Regs., tit. 14, §15269, subd. (c). CDFW has filed a Notice of Exemption for the Project.

XV. 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 & G. 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 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;

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- (2) Impacts of the taking on Covered Species will be minimized and fully mitigated through the implementation of measures required by this ITP and as described in the MMRP. Measures include: (1) permanent habitat protection; (2) establishment of avoidance zones; (3) worker education; and (4) 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 2.2 acres of CTS upland compensatory habitat credits reserved at the Sparling Ranch Conservation Bank and 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.

XVI. Attachments:

FIGURE 1	Site Vicinity
FIGURE 2	Site #1 Access
FIGURE 3	Site #1 Construction Plan
FIGURE 4	Site #5 Access
FIGURE 5	Site #5 Construction Plan
FIGURE 6	Site #5C, #5D, and #7 Access
FIGURE 7	Site #5C Construction Plan
FIGURE 8	Site #5D Construction Plan
FIGURE 9	Site #7 Construction Plan
ATTACHMENT 1	Mitigation Monitoring and Reporting Program
ATTACHMENT 2	Biologist Resume Form
ATTACHMENT 3	Fieldwork Code of Practice

ISSUED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

on 12/21/2021

DocuSigned by:



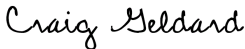
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Julie A. Vance, Regional Manager
Central Region

ACKNOWLEDGMENT

The undersigned: (1) warrants that he or she is acting as a duly authorized representative of the Permittee, (2) acknowledges receipt of this ITP, and (3) agrees on behalf of the Permittee to comply with all terms and conditions.

DocuSigned by:



By: _____

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Date: 1/10/2022

Printed Name: Craig Geldard

Title: Manager, Environmental

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ILI INVESTIGATIVE DIGS PROJECT

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In-Line Inspection Investigative Digs Project
San Benito County, California

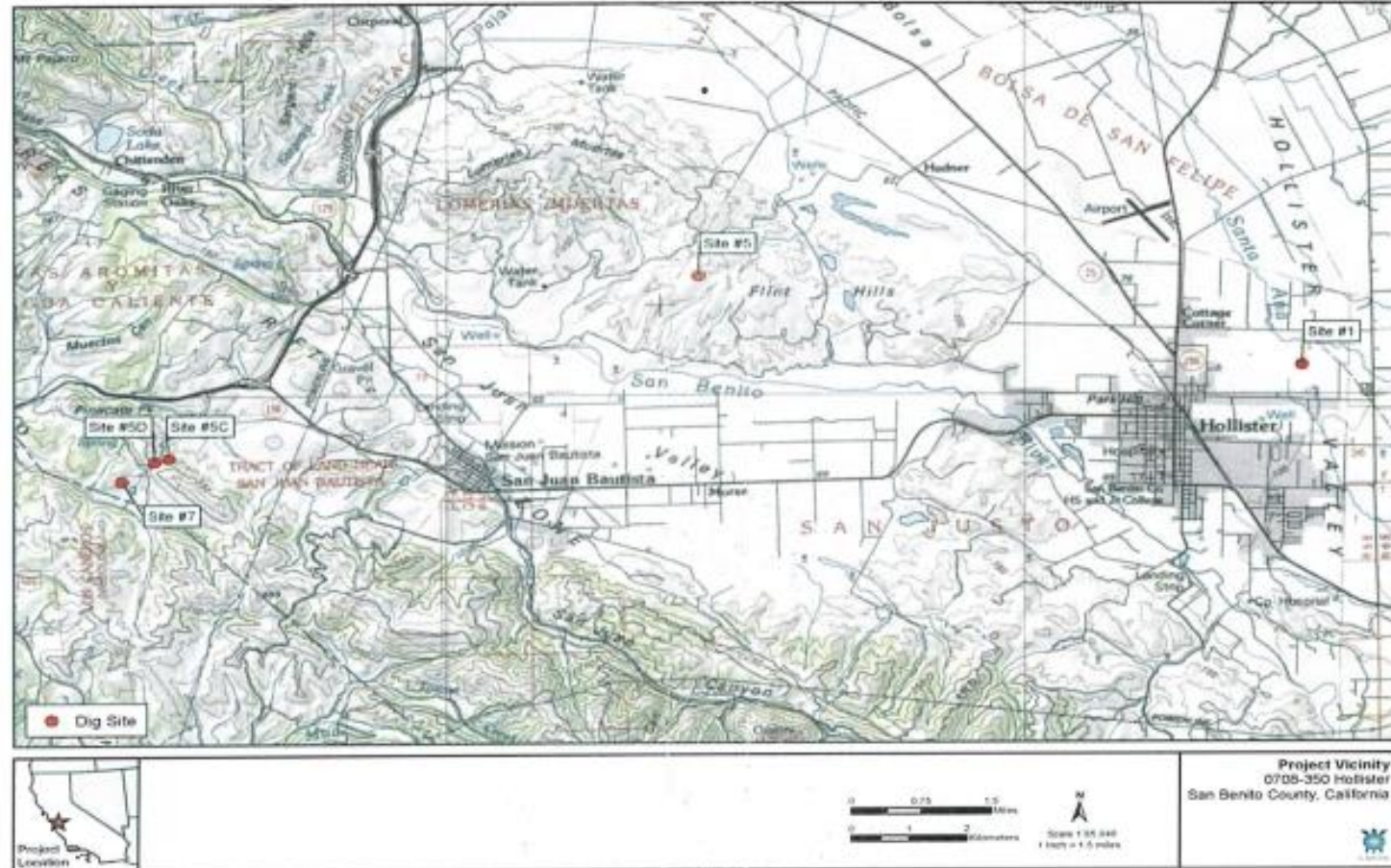
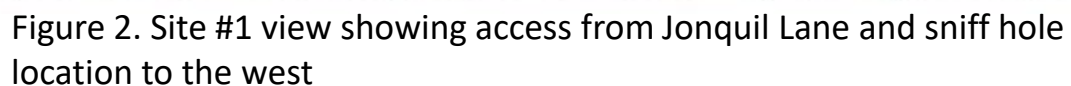


Figure 1. Project Vicinity



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San Benito County, California

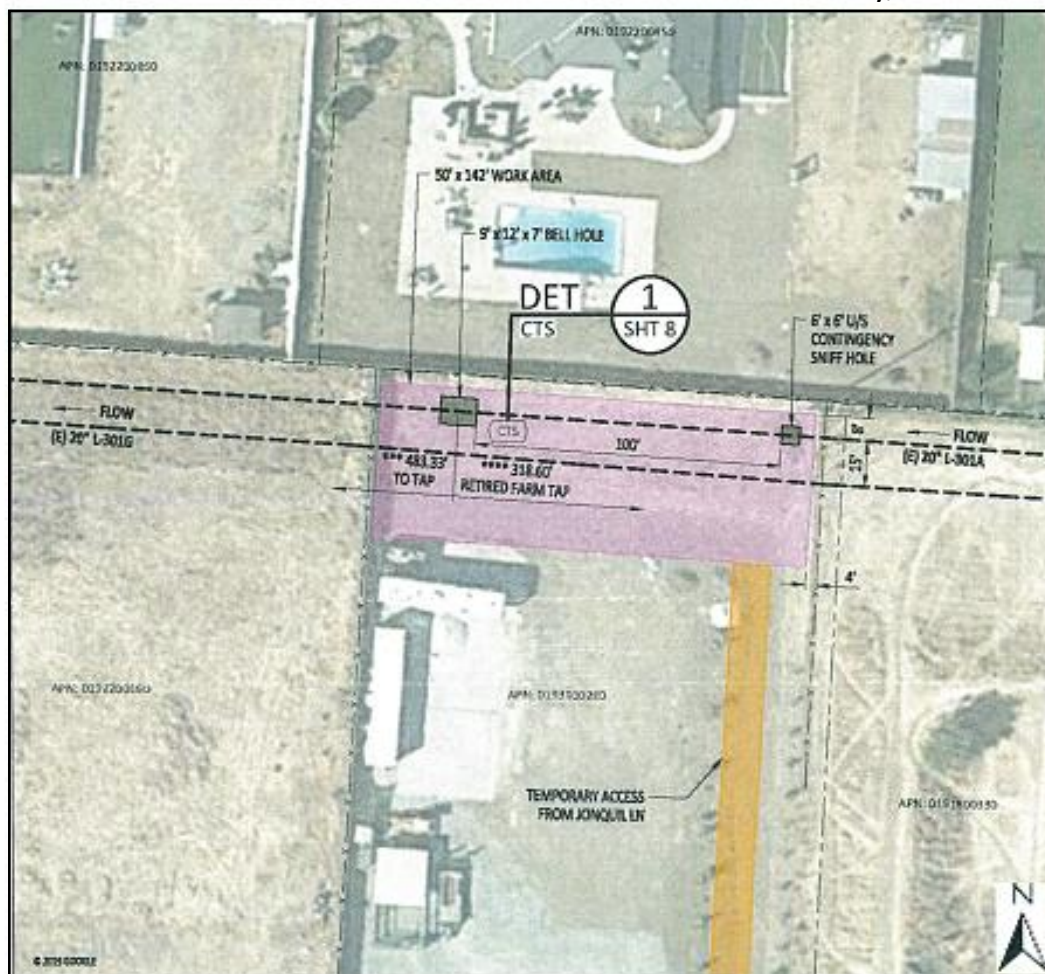


Figure 3. Site #1 construction plan

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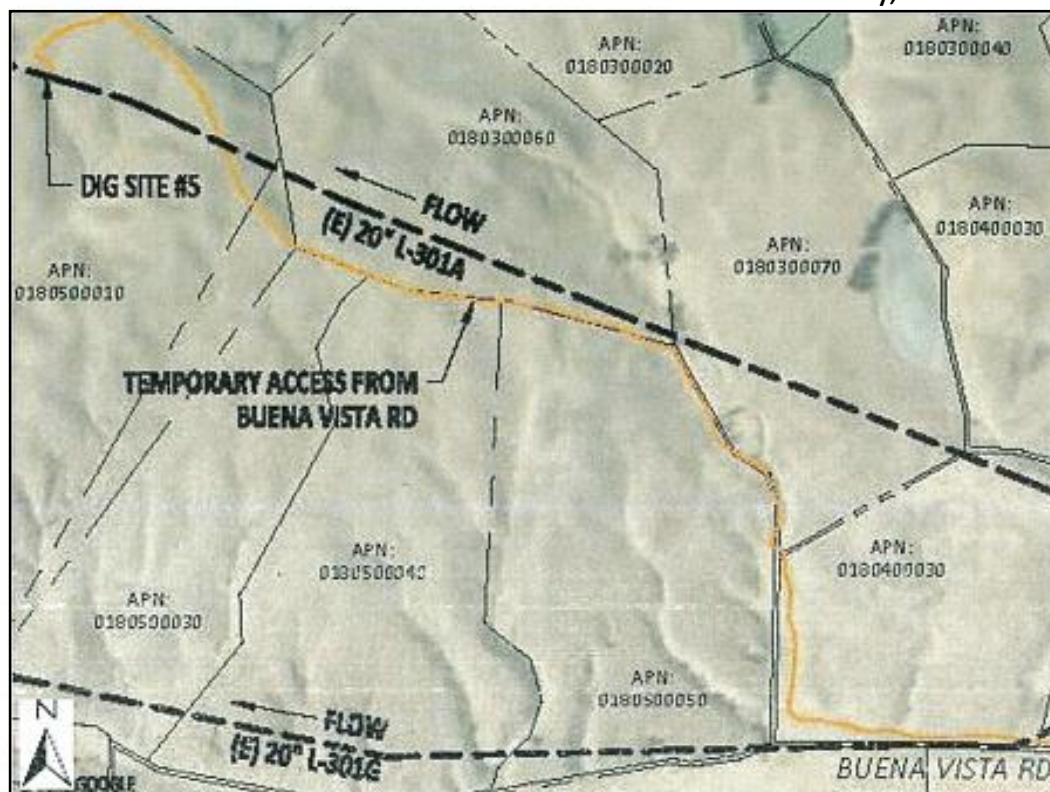


Figure 4. Site #5 showing access from Buena Vista Road

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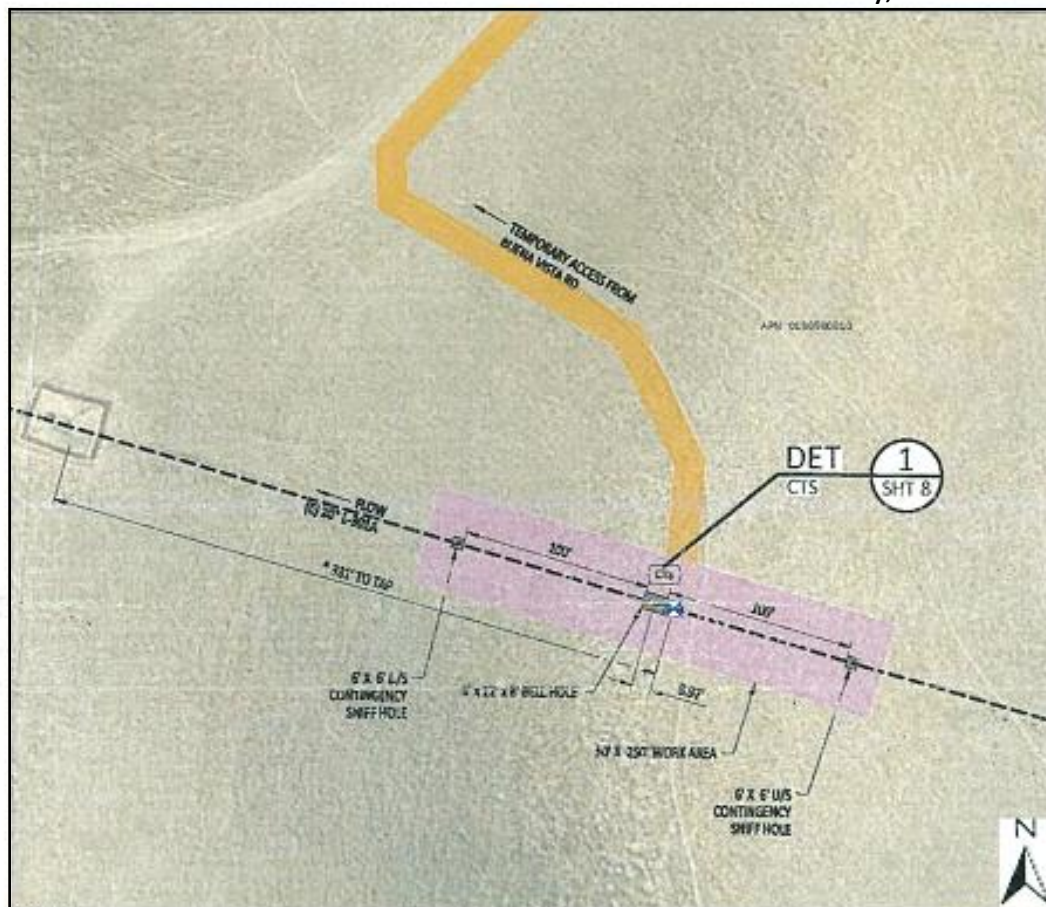


Figure 5. Site #5 construction plan

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Figure 6. Access from Rocks Road to Sites #5C, #5D, and #7

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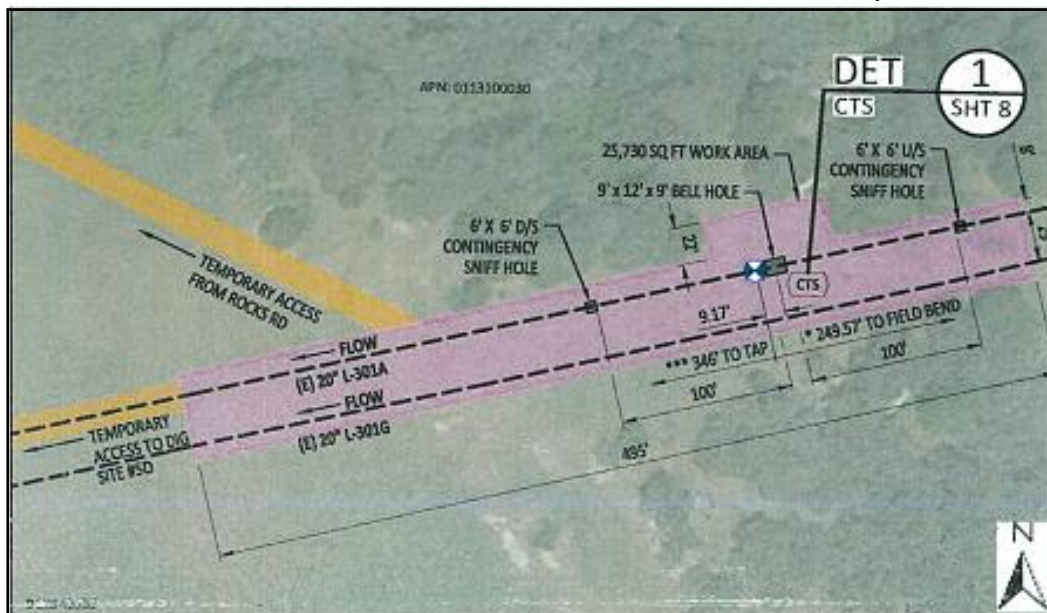


Figure 7. Site #5C construction plan

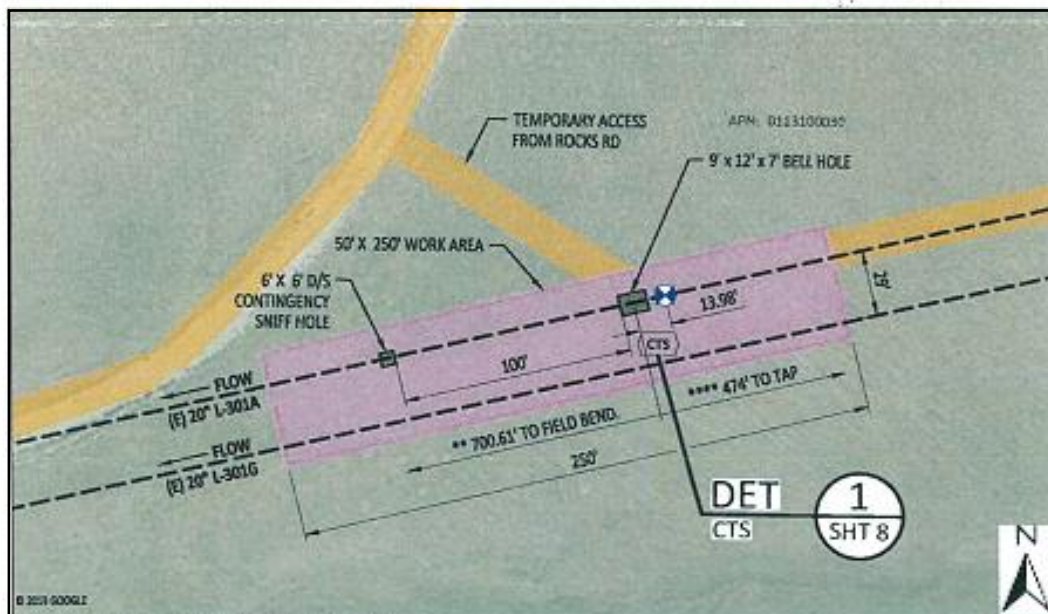


Figure 8. Site #5D construction plan

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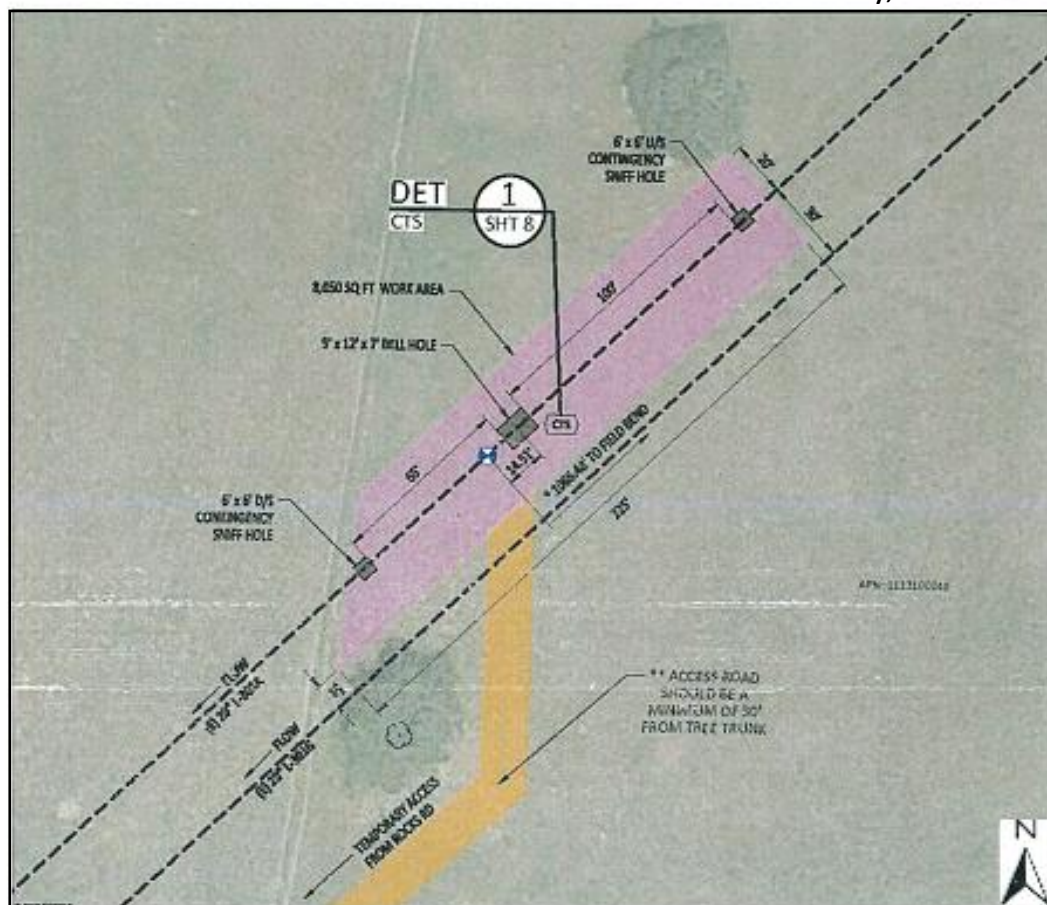


Figure 9. Site #7 construction plan

Attachment 1

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) CALIFORNIA ENDANGERED SPECIES ACT

INCIDENTAL TAKE PERMIT NO. 2081-2020-041-04

PERMITTEE: Pacific Gas & Electric Company

PROJECT: In-line Inspection Investigative Digs

PURPOSE OF THIS MMRP

The purpose of this MMRP is to ensure that the impact minimization and mitigation measures required by the Department of Fish and Wildlife (CDFW) for the above-referenced Project are properly implemented, and thereby to ensure compliance with section 2081(b) of the Fish and Game Code and section 21081.6 of the Public Resources Code. A table summarizing the mitigation measures required by CDFW is attached. This table is a tool for use in monitoring and reporting on implementation of mitigation measures, but the descriptions in the table do not supersede the mitigation measures set forth in the California Incidental Take Permit (ITP) and in attachments to the ITP, and the omission of a permit requirement from the attached table does not relieve the Permittee of the obligation to ensure the requirement is performed.

OBLIGATIONS OF PERMITTEE

Mitigation measures must be implemented within the time periods indicated in the table that appears below. Permittee has the primary responsibility for monitoring compliance with all mitigation measures and for reporting to CDFW on the progress in implementing those measures. These monitoring and reporting requirements are set forth in the ITP itself and are summarized at the front of the attached table.

VERIFICATION OF COMPLIANCE, EFFECTIVENESS

CDFW may, at its sole discretion, verify compliance with any mitigation measure or independently assess the effectiveness of any mitigation measure.

TABLE OF MITIGATION MEASURES

The following items are identified for each mitigation measure: Mitigation Measure, Source, Implementation Schedule, Responsible Party, and Status/Date/Initials. The Mitigation Measure column summarizes the mitigation requirements of the ITP. The Source column identifies the ITP condition that sets forth the mitigation measure. The Implementation Schedule column shows the date or phase when each mitigation measure will be implemented. The Responsible Party column identifies the person or agency that is primarily responsible for implementing the mitigation measure. The Status/Date/Initials column shall be completed by the Permittee during preparation of each Status Report and the Final Mitigation Report, and must identify the implementation status of each mitigation measure, the date that status was determined, and the initials of the person determining the status.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
BEFORE DISTURBING SOIL OR VEGETATION					
1	<u>Designated Representative</u> . Before starting Covered Activities, Permittee shall designate a representative (Designated Representative) responsible for communications with CDFW and overseeing compliance with the 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 the ITP.	ITP Condition # 3.1	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
2	<u>Designated Biologist(s) and Designated Monitor(s)</u> . Permittee shall submit to CDFW, for approval, in writing the name, qualifications, business address, and contact information of the Designated Biologist(s) and Designated Monitor(s) using the Biologist Resume Form (Attachment 2) or another format containing the same information before starting Covered Activities. Permittee shall ensure that the Designated Biologist(s) and Designated Monitor(s) are knowledgeable and experienced in the biology, natural history, and collection and handling of the Covered Species. The Designated Biologist(s) and Designated Monitor(s) 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. Designated Monitor responsibilities will be restricted to a specific set of Conditions of Approval and may assist the Designated Biologist in compliance monitoring under direction of the Designated Biologist. Permittee shall obtain CDFW approval of the Designated Biologist(s) and Designated Monitor(s) in writing before starting Covered Activities and shall also obtain approval in advance, in writing, if the Designated Biologist must be changed.	ITP Condition # 3.2	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
3	<u>Education Program</u> . 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 the ITP. Permittee shall prepare and distribute wallet-sized cards or a fact sheet handout containing this information for workers to carry in the Project Area. 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. Upon completion of the program, employees shall sign a form stating they attended the program and understand all protection measures. This training shall be repeated at least once annually for long-term and/or permanent employees that will be conducting work in the Project Area.	ITP Condition # 3.4	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
4	<u>Trash Abatement</u> . Permittee shall initiate a trash abatement program before starting Covered Activities and shall continue the program for the duration of the Project. Permittee shall ensure that trash and food items are contained in animal-proof containers and removed, ideally at daily intervals but at least once a week to avoid attracting opportunistic predators such as ravens, coyotes, skunks, and domesticated/feral cats and dogs.	ITP Condition # 3.6	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
5	<u>Dust Control</u> . Permittee shall implement dust control measures during Covered Activities to facilitate visibility for monitoring of the Covered Species by the Designated Biologist. Permittee shall keep the amount of water used to the minimum amount needed and shall not allow water to form puddles.	ITP Condition # 3.7	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
6	<u>Fire Prevention</u> . Permittee shall implement fire prevention measures during Covered Activities including, but not limited to: (1) all motorized vehicles shall be equipped with spark arrestors when working in designated State Responsibility Areas, (2) during welding operations, ensure a water-filled backpack pump, a shovel, and fire-resistant mats and/or windscreens are available onsite, (3) prohibit welding operations during "red flag" conditions as determined by the California Department of Forestry and Fire Protection, (4) all fuel trucks shall be equipped with an appropriate fire extinguisher, and (5) parking and storage areas shall be cleared of all flammable materials.	ITP Condition # 3.8	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
7	<u>Delineation of Property Boundaries</u> . Before starting Covered Activities, the Permittee shall clearly delineate the boundaries of the active Project Area where the Covered Activities will occur with fencing, stakes, or flags. Permittee shall restrict all Covered Activities to within the fenced, staked, or flagged Project Area. Permittee shall maintain all fencing, stakes, and flags until the completion of Covered Activities.	ITP Condition # 3.10	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
8	<u>Delineation of Habitat</u> . 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 # 3.11	Before commencing ground- or vegetation-disturbing activities	Permittee	
9	<u>Notification Before Commencement</u> . The Designated Representative shall notify CDFW 3 calendar days before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities.	ITP Condition # 4.1	Before commencing ground- or vegetation-disturbing activities	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
10	<u>Covered Species Mortality Reduction and Relocation Plan</u> . Prior to conducting the Pre-Activity Clearance Survey (Condition of Approval 5.3) and any Covered Activities, the Designated Biologist shall prepare a Covered Species Mortality Reduction and Relocation Plan and submit it to CDFW for approval. The Covered Species Mortality Reduction and Relocation Plan shall include, but not be limited to, a discussion (and map) of the Project Area boundary including the location of known or potential breeding habitat within 562 meters of the Project Area and the area within 562 meters of known or potential breeding habitat for the Covered Species; identification of survey, burrow/crevice excavation technique(s), capture, handling, and relocation methods; identification of relocation areas; and identification of a wildlife rehabilitation center or veterinary facility. Covered Activities within the Project Area may not proceed until the Covered Species Mortality Reduction and Relocation Plan is approved in writing by CDFW. Designated Monitors are prohibited from capturing and handling Covered Species unless approved in writing by CDFW and working under the direct supervision of the Designated Biologist.	ITP Condition #4.2	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
11	<u>Pre-Activity Clearance Surveys and Reporting</u> . No more than 14 days prior to any vegetation- or ground-disturbing activities at the Project Area, the Designated Biologist shall survey that part of the Project Area which represents potential habitat for the Covered Species. These surveys shall provide 100 percent visual coverage of the potential habitat (including burrow and crevice openings) at the Project Area as well as a 50-foot buffer zone around the Project Area. If individuals of the Covered Species are found, the Designated Biologists(s) shall relocate them from the Project Area in accordance with the CDFW-approved Covered Species Mortality Reduction and Relocation Plan (Condition of Approval 4.2). The Permittee shall provide the survey results to CDFW in a written report prior to the beginning of Covered Activities within the Project Area.	ITP Condition #5.3	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
12	<u>Pre-Activity Clearance Survey Report</u> . Permittee shall provide the results of the Pre-Activity Clearance Survey (Condition of Approval 5.3) to CDFW in a written report prior to the beginning of Covered Activities.	ITP Condition # 4.3	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
13	<u>Flag Burrows/Crevices</u> . During the Pre-Activity Clearance Surveys (Condition of Approval 5.3), the Designated Biologist shall flag all animal burrows and crevices suitable for Covered Species occupancy within each Project Area and a 50-foot buffer outside the Project Area. An avoidance buffer of 50 feet or greater around animal burrows/crevices shall be maintained regardless of if the burrow/crevice is in the Project Area or solely within the Project Area's 50-foot buffer zone. Flagged burrows/crevices which occur within 562 meters of known or potential breeding habitat and which cannot be avoided by 50 feet shall be fully excavated in accordance with Condition of Approval 5.5 below.	ITP Condition # 5.4	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
14	<p><u>Animal Burrow and Crevice Excavation.</u> Prior to any vegetation- or ground disturbing activities, those animal burrows and crevices identified during the Pre-Activity Clearance Surveys (Condition of Approval 5.3) and flagged (Condition of Approval 5.4) within 562 meters of known or potential Covered Species breeding habitat as identified in a Covered Species Mortality Reduction and Relocation Plan (Condition of Approval 4.2), and which cannot be fully avoided by at least 50 feet, shall be fully excavated. Applicable burrows/crevices may be excavated by hand or in a manner otherwise approved by CDFW in accordance with the CDFW-approved Covered Species Mortality Reduction and Relocation Plan (Condition of Approval 4.2). Burrow/crevice excavation shall occur under the direct supervision of the Designated Biologist(s).</p> <p>Those animal burrows and crevices identified outside but within 50 feet of Project Areas shall be similarly excavated if they occur within 50 feet of ground disturbance within the Project Area. This excavation requirement applies regardless of whether the burrow/crevice is located within the Project Area or within 50 feet of the Project Area, except for the following instances, in which excavation is not needed: (1) burrows/crevices outside of the Permittee's access and/or control; or (2) burrows/crevices outside the Project Area but within 50 feet of Access Routes. The Designated Biologist(s) shall relocate any live Covered Species discovered during burrow/crevice excavation in accordance with the Covered Species Mortality Reduction and Relocation Plan required in Condition of Approval 4.2 above. Excavation shall occur no more than 14 days after the completion of the Pre-Activity Clearance Surveys as described in Condition of Approval 5.3.</p>	ITP Condition # 5.5	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
15	<p><u>Covered Species Exclusion Fencing.</u> After surveying, flagging, and excavating small mammal burrows and prior to any surface disturbance, in accordance with Conditions of Approval 5.3, 5.4, and 5.5 above, Permittee shall install exclusion fencing around the perimeter of the Project Area to prevent individuals of the Covered Species from migrating into the cleared Area. Areas to be fenced include Site #1, Site #5, Site #5C, Site #5D, and Site #7, but do not include the linear overland Access Routes. The Covered Species exclusion fencing shall be installed in accordance with a Covered Species Exclusion Plan reviewed and approved in writing by CDFW before exclusion fencing installation. The exclusion fence shall be installed under the direct supervision of the Designated Biologist and no later than 48 hours after the burrow/crevice excavation and relocation work is completed. The Permittee shall also avoid animal burrows and crevices to the maximum extent possible during the installation of the exclusion fence. When animal burrows and crevices that are within 562 meters of known or potential Covered Species breeding habitat cannot be avoided by a 50-foot no-disturbance buffer from the fence line, they shall be excavated as described in Condition of Approval 5.5, above, prior to commencing fence installation. Temporary exclusion fencing shall be removed immediately upon completion of Covered Activities in the fenced Project Area.</p>	ITP Condition # 5.6	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
16	<u>Covered Species Credits</u> . Permittee shall provide for the permanent protection and management of 2.2 acres of Habitat Management (HM) lands and shall do so by subtracting 2.2 from the 75 California tiger salamander (CTS) upland habitat credits reserved at the Sparling Ranch Conservation Bank by the permittee on March 28, 2018. The Permittee shall provide proof of 2.2 acres of CTS upland habitat credits assigned to this Project to CDFW within 30 days of the effective date of the ITP and prior to the start of Covered Activities. After subtraction of the 2.2 acres upland habitat credits, the Permittee has a remaining 72.8 CTS upland habitat credits available for future projects. The CDFW-approved Sparling Ranch Conservation Bank has a service that encompasses the Project Area and is known to provide high quality breeding and upland habitat for the Covered Species, has been conserved in perpetuity through a conservation easement, and has funds for long-term management of the conserved lands. Endowment costs are included in the sale price of conservation credits.	ITP Condition #6.1	Before commencing ground- or vegetation-disturbing activities (or within 18 months of issuance of the ITP if Security is provided)	Permittee	
DURING CONSTRUCTION					
17	<u>Seasonal Work Window</u> . Permittee shall complete Covered Activities between May 15 and October 15 unless otherwise pre-approved by the CDFW in writing.	ITP Condition # 5.1	Entire Project	Permittee	
18	<u>Designated Biologist On-Site</u> . The Designated Biologist shall be on site for the duration of Covered Activities each workday.	ITP Condition # 5.2	Entire Project	Permittee	
19	<p><u>Compliance Monitoring</u>. The Designated Biologist/Designated Monitor shall be on-site daily when Covered Activities occur. The Designated Biologist shall conduct compliance inspections to:</p> <ul style="list-style-type: none"> (1) minimize incidental take of the Covered Species; (2) prevent unlawful take of species; (3) check for compliance with all measures of the 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. <p>The Designated Representative or Designated Biologist shall prepare daily written observation and inspection records summarizing oversight activities and compliance inspections, observations of Covered Species and their sign, survey results, and monitoring activities required by the ITP.</p>	ITP Condition # 4.4	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
20	<u>Notification of Non-compliance.</u> The Designated Representative shall immediately notify CDFW if the Permittee is not in compliance with any Condition of Approval of the ITP, including but not limited to any actual or anticipated failure to implement measures within the time periods indicated in the ITP and/or this MMRP. The Designated Representative shall follow up within 24 hours with a written report to CDFW describing, in detail, any non-compliance with the ITP and suggested measures to remedy the situation.	ITP Condition # 4.5	Entire Project	Permittee	
21	<u>Record of Covered Species Observation and Relocation Efforts.</u> The Designated Biologist shall maintain a record of all Covered Species handled, and all documented observations of Covered Species. This information shall include for each animal: (1) the locations (Global Positioning System (GPS) coordinates and maps) and time of capture and/or observation as well as release; (2) sex; (3) approximate age (adult/juvenile); (4) weight; (5) general condition and health, noting all visible conditions including gait and behavior, emaciation, and injuries; and (6) ambient temperature when handled and released. The Designated Biologist shall satisfy all reporting requirements outlined in Condition of Approval 4.9 and 4.11 below and shall also prepare a Relocation Summary and include it in the Monthly Compliance Report described in Condition of Approval 4.7 below. The Relocation Summary in the Final Mitigation Report, described in Condition of Approval 4.10 below, shall include cumulative results, analysis of data collected, and conclusions.	ITP Condition # 4.6	Entire Project	Permittee	
22	<u>Monthly Compliance Report.</u> The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in Conditions of Approval 4.4, 4.6, and 4.9 into a Monthly Compliance Report and submit it to CDFW along with a copy of this MMRP table with notes showing the current implementation status of each mitigation measure. Reports for the prior month shall be submitted no later than the 10th of the following month. Monthly Compliance Reports shall be submitted to the CDFW offices listed in the Notices section of the ITP and via e-mail to CDFW's Regional Representative and Headquarters CESA Program. At the time of the ITP's approval, the CDFW Regional Representative is Kristie Stein (Kristie.Stein@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 # 4.7	Entire Project	Permittee	
23	<u>CNDDDB Observations.</u> The Designated Biologist shall submit all observations of Covered Species to CDFW's California Natural Diversity Database (CNDDDB) within 60 calendar days of the observation and the Designated Biologist shall include copies of the submitted forms with the next Monthly Compliance Report or Annual Status Report, whichever is submitted first relative to the observation.	ITP Condition # 4.8	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
24	<u>Notification of Take or Injury.</u> Permittee, their employees, agents, contractors, or sub-contractors shall immediately notify the Designated Biologist(s) 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 to CDFW by calling the Regional Office at (559) 243-4005. 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 calendar days of the discovery. The report shall include the date and time of the finding or incident, GPS 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.	ITP Condition # 4.10	Entire Project	Permittee	
25	<u>Covered Species Observations.</u> During all Covered Activities, all workers shall inform the Designated Biologists(s) if an individual of the Covered Species is observed at the Project Area. All work in the vicinity of the observed Covered Species, which could injure or kill the animal, shall cease immediately until the Designated Biologist(s) can relocate the Covered Species following the CDFW approved Covered Species Mortality Reduction and Relocation Plan specified in Condition of Approval 4.2.	ITP Condition # 5.7	Entire Project	Permittee	
26	<u>Covering, Ramping, and Inspecting Excavations.</u> To prevent inadvertent entrapment of Covered Species or any other animals during the construction phase of the Project, Permittee shall ensure that all excavated, steep-walled holes or trenches are covered and inspected as described below. Permittee shall ensure that all trenches, holes, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope are covered when workers and/or equipment are not actively working in them and at the end of each work day. Covers shall be made of plywood or similar solid material. Permittee shall ensure that the edges of the covers are covered with dirt to prevent Covered Species from crawling under them. Worker(s) shall thoroughly inspect all trenches, holes, or other excavations for Covered Species (or other wildlife) before they are back-filled. If a situation is encountered that this measure does not anticipate and alternative methods of preventing entrapment or injury in excavations are warranted, then Permittee shall request and obtain CDFW's written concurrence prior to implementing the alternative. If any worker discovers that Covered Species have become trapped, Permittee shall cease all Covered Activities in the vicinity and notify the Designated Biologist(s) immediately. Project workers and the Designated Biologist(s) shall allow Covered Species to escape unimpeded if possible before Covered Activities are allowed to continue, or the Designated Biologist(s) shall capture and relocate the Covered Species as per the Covered Species Mortality Reduction and Relocation Plan required in Condition of Approval 4.2.	ITP Condition # 5.8	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
27	<u>Equipment Inspection.</u> 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 notify the Designated Biologist and wait for the Covered Species to move unimpeded to a safe location. Alternatively, the Designated Biologist(s) shall move the Covered Species out of harm's way outside of the Project Area and in compliance with the approved Covered Species Mortality Reduction and Relocation Plan required in Condition of Approval 4.2.	ITP Condition # 5.9	Entire Project	Permittee	
28	<u>Materials Inspection.</u> Workers shall thoroughly inspect all construction pipe, culverts, or other similar structures with a diameter of one inch or greater that are stored for one or more overnight periods for the Covered Species before the object is subsequently moved, buried, or capped. If during inspection, an individual of the Covered Species is discovered inside a pipe, culvert, or similar structure, the Designated Biologist shall move the Covered Species out of harm's way outside of the Project Area and in compliance with the approved Covered Species Mortality Reduction and Relocation Plan required in Condition of Approval 4.2.	ITP Condition # 5.10	Entire Project	Permittee	
29	<u>Precipitation.</u> The Designated Biologist and Permittee shall monitor the National Weather Service 72-hour forecast for the Project Area. If a 60 percent or greater chance of rainfall is predicted within 72 hours, Permittee shall cease all Covered Activities in all portions of the Project Area where ground disturbance (vegetation removal, grading, excavation, etc.) has yet to finish until a zero percent chance of rain is forecast. Work may continue 24 hours after the rain ceases and there is a zero percent chance of precipitation in the 72-hour forecast.	ITP Condition # 5.11	Entire Project	Permittee	
30	<u>Work Hours.</u> Permittee shall terminate all Covered Activities 30 minutes before sunset and shall not resume Covered Activities until 30 minutes after sunrise during the seasonal work window. The Permittee shall use sunrise and sunset times established by the U.S. Naval Observatory Astronomical Applications Department for determining when Covered Activities shall terminate and resume. Except when necessary for construction, or driver/pedestrian safety, Permittee shall minimize lighting of the Project Area by artificial lighting during nighttime hours to the maximum extent practicable.	ITP Condition # 5.12	Entire Project	Permittee	
31	<u>Soil Stockpiles.</u> Permittee shall place soil stockpiles where soil shall not pass into potential Covered Species breeding habitat; nor shall it pass into any other "Waters of the State," in accordance with Fish and Game Code 5650. Permittee shall appropriately protect stockpiles to prevent soil erosion, in accordance with Condition of Approval 3.9 above. Care shall be taken so that all traces of the disinfectant are removed before entering the next aquatic habitat.	ITP Condition # 5.13	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
32	<u>Fieldwork Code of Practice</u> . To ensure that the Designated Biologist(s) do not convey disease between Work Sites, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force Fieldwork Code of Practice (see Attachment 3) shall be followed at all times. The Designated Biologist(s) may substitute a bleach solution (0.5 to 1.0 cup of bleach to 1.0 gallon of water) for the ethanol solution.	ITP Condition # 5.14	Entire Project	Permittee	
33	<u>Covered Species Injury</u> . If a Covered Species is injured as a result of Project-related activities, the Designated Biologist shall immediately take it to a CDFW approved wildlife rehabilitation or veterinary facility that routinely evaluates and treats amphibians. As required in Condition of Approval 4.2, Permittee shall identify the facility before starting Covered Activities. Permittee shall bear any costs associated with the care or treatment of such injured Covered Species. The Permittee shall notify CDFW of the injury to the Covered Species immediately by telephone and e-mail followed by a written incident report as described in Conditions of Approval 4.6 and 4.10. Notification shall include the name of the facility where the animal was taken.	ITP Condition # 5.15	Entire Project	Permittee	
34	<u>Habitat Restoration</u> . Permittee shall restore the complete acreage of Covered Species habitat that will be temporarily disturbed during Covered Activities to pre-project or better conditions. Within three months of issuance of the ITP, the Permittee shall prepare a Vegetation Restoration Plan to facilitate revegetation of the complete acreage of temporary ground disturbance on-site and shall submit the Plan to CDFW for approval. At a minimum, the plan shall include the following information for the Restoration Areas: (1) an aerial map that identifies the location of the areas to be revegetated; (2) a description of the existing physical and biological conditions of the areas prior to commencement of any restoration or enhancement activities; (3) a California native plant palette and seed sources; (4) a planting plan, including seed application method; (5) procedures to ensure that nonnative plants are not introduced or allowed to sustain within the areas; and (6) success standards and contingency measures if the first application is unsuccessful.	ITP Condition # 6.2	Entire Project	Permittee	
35	<u>Project Access</u> . 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. Permittee shall ensure that vehicle speeds do not exceed 15 miles per hour to avoid Covered Species on or traversing the roads. 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 the ITP, among other reasons, if additional take of Covered Species will occur as a result of the Project modification.	ITP Condition # 3.12	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
36	<u>Staging Areas</u> . Permittee shall confine all Project-related parking, storage areas, laydown sites, equipment storage, and any other surface-disturbing activities to the Project Area using, to the extent possible, previously disturbed areas. Additionally, Permittee shall not use or cross Covered Species" habitat outside of the marked Project Area unless provided for as described in Condition of Approval 3.12 of the ITP.	ITP Condition # 3.13	Entire Project	Permittee	
37	<u>Hazardous Waste</u> . 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 # 3.14	Entire Project	Permittee	
38	<u>CDFW Access</u> . Permittee shall provide CDFW staff with reasonable access to the Project and any 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 the ITP.	ITP Condition # 3.15	Entire Project	Permittee	
39	<u>Designated Biologist Authority</u> . To ensure compliance with the Conditions of Approval of the ITP, the Designated Biologist shall immediately stop any activity that does not comply with the ITP, and/or order any reasonable measure to avoid the unauthorized take of an individual of the Covered Species. Permittee shall provide unfettered access to the Project Site and otherwise facilitate the Designated Biologist in the performance of his/her duties. If the Designated Biologist is unable to comply with the ITP, then the Designated Biologist shall notify the CDFW Representative immediately. Permittee shall not enter into any agreement or contract of any kind, including but not limited to non-disclosure agreements and confidentiality agreements, with its contractors and/or the Designated Biologist that prohibit or impede open communication with CDFW, including but not limited to providing CDFW staff with the results of any surveys, reports, or studies or notifying CDFW of any non-compliance or take. Failure to notify CDFW of any non-compliance or take or injury of a Covered Species as a result of such agreement or contract may result in CDFW taking actions to prevent or remedy a violation of the ITP.	ITP Condition # 3.3	Entire Project	Permittee	
40	<u>Construction Monitoring Documentation</u> . The Designated Biologist(s) shall maintain construction-monitoring documentation on-site in either hard copy or digital throughout the construction period, which shall include a copy of the 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 documentation is available for review at the Project site upon request by CDFW.	ITP Condition # 3.5	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
41	<u>Erosion Control Materials</u> . Permittee shall prohibit use of erosion control materials potentially harmful to the Covered Species and other species, such as monofilament netting, photodegradable mesh (erosion control matting) or similar material, in potential Covered Species" habitat. Permittee shall deploy erosion control mats, blankets, or coir rolls that consist of only natural-fiber, biodegradable materials.	ITP Condition # 3.9	Entire Project	Permittee	
POST-CONSTRUCTION					
42	<u>Refuse Removal</u> . Upon completion of Covered Activities, Permittee shall remove from the Project Area and properly dispose of all temporary fill and construction refuse, including, but not limited to, broken equipment parts, wrapping material, cords, cables, wire, rope, strapping, twine, buckets, metal or plastic containers, and boxes.	ITP Condition # 3.16	Post-construction	Permittee	
43	<u>Final Mitigation Report</u> . No later than 45 days after completion of all mitigation measures, Permittee shall provide CDFW with a Final Mitigation Report. The Designated Biologist shall prepare the Final Mitigation Report which shall include, at a minimum: (1) a summary of all Monthly Compliance Reports; (2) a copy of the table in this 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 the 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; and (8) any other pertinent information.	ITP Condition # 4.9	Post-construction and after completion of mitigation	Permittee	
44	CDFW accepts the Final Mitigation Report as complete.	ITP Condition # 4.9	Post-construction	CDFW	

Project Name:

LSA Agreement/ITP Number(s):



Department of Fish and Wildlife

BIOLOGIST RESUME COVER SHEET

SUBMIT EACH RESUME AS A SEPARATE DOCUMENT

Number of Resumes Included in Transmittal: _____

Name	Requested Role(s) ¹	Species/Resource(s)

¹ Requested roles correspond to the biological staffing requirements indicated in the Lake and Streambed Alteration (LSA) Agreement or California Endangered Species Act Incidental Take Permit (ITP). Roles may include a "Qualified Biologist" or "Designated Biologist" with the necessary experience to survey for special status species, or a "Biological Monitor" with the necessary experience to monitor construction activities for special status species. An individual may request more than one role.



Department of Fish and Wildlife

BIOLOGIST RESUME FORM

This form requests information about the qualifications of the Qualified Biologist, Designated Biologist and Biological Monitor specified in California Endangered Species Act Incidental Take Permits (ITP) and Lake or Streambed Alteration (LSA) Agreements issued by California Department of Fish and Wildlife (CDFW).

Completing this form will ensure the receipt of adequate information and expedite CDFW review of qualifications.

SECTION I. NAME AND CONTACT INFORMATION

Name:		Title:	
Company Name & Address:		Phone:	
		Email:	

SECTION II. EDUCATION

College/University & Degree Type Related to Natural Resource Science:	
Other Relevant Workshops & Training:	

SECTION III. ROLE(S) AND PERMIT REQUIREMENTS

Requested Role(s):	
Relevant LSA Agreement Measures or ITP Conditions ² :	

SECTION IV. SPECIES AND RESOURCE EXPERIENCE – SUMMARY

This section summarizes experience by special status species and other resource. Use one row for each species or other resource where surveys or special protections are required in the CESA ITP or LSA Agreement for which biologist approval is requested.³ If more space is needed, add rows to this table. Provide details in Section 5.

Species or Resource	Number of Field Seasons & Hours, Life Stages Observed <i>Provide project details in Section 5</i>	Life History Knowledge <i>Describe formal workshops & training with dates, or informal training details</i>	CDFW SCP, MOU, & USFWS 10a1a Authorization Number & Authorized Activities <i>This form does not fulfill SCP, MOU, & USFWS 10a1a reporting requirements</i>
Insert Species or Resource 1	Field seasons: Hours: Life Stages:		Issued to: Expiration: Agency contact:
Insert Species or Resource 2	Field seasons: Hours: Life Stages:		Issued to: Expiration: Agency contact:
Insert Species or Resource 3	Field seasons: Hours: Life Stages:		Issued to: Expiration: Agency contact:

² List all measures and conditions from the LSA Agreement or ITP requiring biological staff (i.e., Qualified Biologist, Designated Biologist, or Biological Monitor).

³ Often LSA Agreements/ITPs require surveys and other protections for multiple species and other resources. Include only those for which the biologist has experience and is requesting approval.

SECTION V. SPECIES AND RESOURCE EXPERIENCE – DETAILS

This section details experience from the three most recent and relevant projects for each species and resource identified in Section 4. If more space is needed, attach additional pages in the same table format (i.e., copy/paste format).

A. Species or Resource:			
Project 1 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s) ⁴ :	
Survey Type(s) ⁵ :		Construction Monitoring ⁶ :	Days: Activities:
Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB ⁷ (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Project 2 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s):	
Survey Type(s):		Construction Monitoring:	Days: Activities:
Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Project 3 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s):	
Survey Type(s):		Construction Monitoring:	Days: Activities:

⁴ Insert the role as described in the associated LSA Agreement, ITP or other agency permit. If these permits were not issued, describe the role based on the duties, e.g., "lead biologist with handling authorization" or "biological monitor."

⁵ For example, pre-construction survey or description of the protocol or guideline followed.

⁶ Include the number of days and describe the types of activities monitored (e.g., heavy equipment operation).

⁷ CNDDDB is the abbreviation for California Natural Diversity Database.

Project Name:
LSA Agreement/ITP Number(s):

Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Additional Information:			

B. Species or Resource:			
Project 1 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s):	
Survey Type(s):		Construction Monitoring:	Days: Activities:
Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Project 2 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s):	
Survey Type(s):		Construction Monitoring:	Days: Activities:
Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Project 3 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s):	
Survey Type(s):		Construction Monitoring:	Days: Activities:

Project Name:
LSA Agreement/ITP Number(s):

Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Additional Information:			

C. Species or Resource:			
Project 1 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s):	
Survey Type(s):		Construction Monitoring:	Days: Activities:
Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Project 2 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s):	
Survey Type(s):		Construction Monitoring:	Days: Activities:
Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Project 3 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s):	
Survey Type(s):		Construction Monitoring:	Days: Activities:

Project Name:**LSA Agreement/ITP Number(s):**

Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Additional Information:			

The Declining Amphibian Task Force Fieldwork Code of Practice

A code of practice, prepared by the Declining Amphibian Task Force (DAPTF) to provide guidelines for use by anyone conducting field work at amphibian breeding sites or in other aquatic habitats. Observations of diseased and parasite-infected amphibians are now being frequently reported from sites all over the world. This has given rise to concerns that releasing amphibians following a period of captivity, during which time they can pick up unapparent infections of novel disease agents, may cause an increased risk of mortality in wild populations. Amphibian pathogens and parasites can also be carried in a variety of ways between habitats on the hands, footwear, or equipment of fieldworkers, which can spread them to novel localities containing species which have had little or no prior contact with such pathogens or parasites. Such occurrences may be implicated in some instances where amphibian populations have declined. Therefore, it is vitally important for those involved in amphibian research (and other wetland/pond studies including those on fish, invertebrates and plants) to take steps to minimize the spread of disease and parasites between study sites.

1. Remove mud, snails, algae, and other debris from nets, traps, boots, vehicle tires and all other surfaces. Rinse cleaned items with sterilized (e.g. boiled or treated) water before leaving each study site.
2. Boots, nets, traps, etc., should then be scrubbed with 70% ethanol solution (or sodium hypochlorite 3 to 6%) and rinsed clean with sterilized water between study sites. Avoid cleaning equipment in the immediate vicinity of a pond or wetland.
3. In remote locations, clean all equipment as described above upon return to the lab or "base camp". Elsewhere, when washing machine facilities are available, remove nets from poles and wash with bleach on a "delicates" cycle, contained in a protective mesh laundry bag.
4. When working at sites with known or suspected disease problems, or when sampling populations of rare or isolates species, wear disposable gloves and change them between handling each animal. Dedicate sets of nets, boots, traps, and other equipment to each site being visited. Clean and store them separately and the end of each field day.
5. When amphibians are collected, ensure the separation of animals from different sites and take great care to avoid indirect contact between them (e.g. via handling, reuse of containers) or with other captive animals. Isolation from un-sterilized plants or soils which have been taken from other sites is also essential. Always use disinfected/disposable husbandry equipment.
6. Examine collected amphibians for the presence of diseases and parasites soon after capture. Prior to their release or the release of any progeny, amphibians should be quarantined for a period and thoroughly screened for the presence of any potential disease agents.
7. Used cleaning materials (liquids, etc.) should be disposed of safely and if necessary taken back to the lab for proper disposal. Used disposable gloves should be retained for safe disposal in sealed bags.