



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](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



May 11, 2023

Erika Esparza, Project Manager  
Southern California Gas Company  
9400 Oakdale Avenue  
Chatsworth, California 91311

**Subject: Incidental Take Permit for Line 7049 Milepost 0.02 recoat and Anode Install Project (2081-2023-013-04)**

Dear Erika Esparza:

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](mailto:CESA@wildlife.ca.gov). Digital signatures shall comply with Government Code section 16.5. Digital signatures facilitated by CDFW will be automatically returned.

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 Sarah Bahm, Senior Environmental Scientist (Specialist), at [sarah.bahm@wildlife.ca.gov](mailto:sarah.bahm@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
A blue ink signature of Julie A. Vance.  
FA83F09FE08945A...

Julie A. Vance  
Regional Manager

Enclosure

*Conserving California's Wildlife Since 1870*



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

California Endangered Species Act  
Incidental Take Permit No. 2081-2023-013-04

**LINE 7049 MILEPOST 0.02 RECOAT AND ANODE INSTALL 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 take<sup>1</sup> of any species of wildlife designated by the California Fish and Game Commission as an endangered, threatened, or candidate species.<sup>2</sup> However, 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).

<b>Permittee:</b>	<b>Southern California Gas Company</b>
<b>Principal Officer:</b>	<b>Erika Esparza, Project Manager EEsparza@socalgas.com</b>
<b>Contact Person:</b>	<b>Keely Craig, (858) 325-5308 KCraig@socalgas.com</b>
<b>Mailing Address:</b>	<b>9400 Oakdale Ave Chatsworth, California 91311</b>

**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 and its authorization to take the Covered Species shall expire on **November 15, 2023**.

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 5.8 of this ITP.

<sup>1</sup>Pursuant 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".])

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

### III. Project Location:

The Line 7049 Milepost (MP) 0.02 Recoat and Anode Install Project (Project) is located in the southern San Joaquin Valley approximately 5.5 miles east of the community of Valley Acres in Kern County, California (Figure 1). The Project is specifically located within the Buena Vista Lake Bed United States Geological Survey 7.5-minute topographic quadrangle map in Township 32 South, Range 25 East, and Section 7, Mount Diablo Base and Meridian. The approximate center of the site is located at latitude at 35.1532° North and longitude -119.334387° West (Figure 2).

### IV. Project Description:

The purpose of the Project is to prevent pipeline failure by inspecting and repairing the coating on a section of the high-pressure gas pipeline (Line) 7049 near MP 0.02 where anomalies were detected and installing anodes to provide cathodic protection to protect the integrity of the pipeline.

In order to inspect and repair this pipeline segment, vegetation will be cleared from within the temporary workspace and the staging/laydown area. Then, three to four potholes will be dug by hand to confirm the location of the pipeline. Once the location of pipeline has been identified, a trench approximately 210 feet long by 15 feet wide by ten feet deep will be excavated to expose the underground pipeline. The total excavation area will be approximately 3,150 square feet (0.07 acre). Approximately 1,167 cubic yards of excavated soil (spoils) will be stockpiled adjacent to the trench within the temporary workspace. Two staging areas will be used for storage of equipment, materials, and spoils piles. The first staging area is approximately 1,830 square feet (0.04 acre) of existing disturbed, compacted dirt roads immediately adjacent to the northeastern border of the excavation workspace. The second staging area is approximately 22,000 square feet (0.51 acre) of existing disturbed, compacted dirt roads and allscale/saltbush scrub vegetation adjoining the excavation workspace. There will be an approximately 10,886 square feet (0.25 acre) additional vehicle parking area northwest of excavation workspace within an existing disturbed road turnaround area.

Once exposed, approximately 150 feet of the pipeline will be tested, cleaned, abated, and inspected. Abatement includes wrapping the exposed areas in plastic containment and sandblasting and/or scraping using hand tools the existing coating from the exposed pipe. Containment will remain in place to capture and contain any materials from sandblasting/scraping the exposed pipe as well as during recoating. If asbestos-containing material is found to be present, it will be removed. Once cleaned of all coating, dirt, and debris, the integrity of the pipe will be inspected both visually and using wave and B-scan inspection equipment, portable phased-array ultrasonic testing, and/or portable hand and pipe latching equipment.

If anomalies are detected during inspection, they must be immediately remedied by repairs or replacements. Depending on the severity, minor anomalies may be remedied by installing soft padding around the affected area using hand tools. Moderate anomalies that cannot be

remedied via soft padding will be remediated by installing a “wedding band” around the anomaly. This repair entails a metal sleeve of greater thickness but the same diameter and grade as the existing pipe being placed over the anomaly and welded into place. If severe anomalies are detected, the section of pipeline may need to be replaced which entails the affected pipe segment being cut and removed from the trench and a replacement segment of the same grade and thickness welded into place. Replacement of the pipe section will occur in the same workspace and is not expected to result in additional impacts. The exposed pipeline segments will then be recoated with fusion-bonded epoxy or similar material using a handheld sprayer or brush. The new coating will be inspected, and the coating process may be repeated if any imperfections do not meet inspection standards.

Following the pipeline repair and to provide cathodic protection, four approximately 60-pound interference anodes will be installed below ground adjacent to the pipeline. The anodes will be attached to the pipe via three 0.16-inch diameter wires and connected to a small, metal-plated terminal or similar equipment used for monitoring electric currents; this will replace the existing test station on site. The replacement Line 7049 test station consists of an anode junction box mounted to an approximately three-inch galvanized steel post with a pair of two-inch galvanized steel conduits leading from the junction box down to the pipe.

The trench will then be backfilled with zero-sack slurry, or wet sand, to approximately 18 inches above the top of the existing pipe, then the stockpiled native soil (assuming no large rocks are found) or certified imported clean fill, as needed. Excess soil may be hauled off site for disposal at an approved facility. All Project impacts will be temporary and kept to the minimum amount necessary to complete Project activities. Following the completion of the Project, the temporary disturbance area will be returned to pre-Project conditions and allowed to revegetate naturally. The Project is accessible via existing dirt roads that are not expected to require grading or improvements.

Equipment for the Project may include the following: excavator, backhoe, water truck, towable air compressor, 40-ton crane, sideboom, compactor, welding trucks, work trucks, portable restrooms, job site containers/trailers (as needed), and hand tools. The exact equipment that is used may be substituted based on availability at the time of construction, but the substituted equipment will be of similar size and specification.

In total, the Project will occur within an area of approximately 53,392 square feet (1.23 acres), of which approximately 27,749 square feet (0.64 acre) is valley saltbush/allscale scrub and non-native grassland and approximately 25,643 square feet (0.59 acre) is disturbed/developed (existing, unvegetated, compacted dirt roads). The Project activities are anticipated to last up to three months from mobilization to completion.

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

This ITP covers the following species:

<u>Name</u>	<u>CESA Status</u> <sup>3</sup>
1. Tipton kangaroo rat ( <i>Dipodomys nitratoide nitratoide</i> , TKR)	Endangered <sup>4</sup>
2. San Joaquin antelope squirrel ( <i>Ammospermophilus nelsoni</i> , SJAS)	Threatened <sup>5</sup>
3. San Joaquin kit fox ( <i>Vulpes macrotis mutica</i> , SJKF)	Threatened <sup>6</sup>

These species and only these species are 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: clearing; grubbing; removing vegetation; excavating; stockpiling soil; cleaning/removing existing pipeline coating; repairing or replacing pipeline section; welding; installing new fusion-bonded epoxy pipeline coating or similar material; installing anodes; replacing test station; reburying pipeline; compacting soil; heavy equipment operation; materials and equipment laydown and storage; transporting construction materials and other Project-related traffic; site recontouring; and other activities described in the Project Description section of this ITP (Covered Activities).

Incidental take of individuals of the Covered Species in the form of mortality (“kill”) may occur as a result of Covered Activities such as burrow collapse that results in crushing or suffocation of underground individuals during vegetation removal, grubbing, excavation, and compaction; entombment of individuals from deposition of stockpiled material, or spoils over occupied burrows; entrapment and burial within uncovered excavations; crushing by equipment; and vehicle/equipment strikes from Project-related traffic during construction activities. Incidental take of individuals of the Covered Species in the form of pursue, catch, capture may also occur from the Covered Activities through entrapment in trenches and excavations, uncovering Covered Species through the excavation of burrow systems, by corralling Covered Species into a confined area when barrier fencing is constructed around the Project Area, and when individuals of the Covered Species are relocated out of harm's way as required by this ITP. The areas where authorized take of the Covered Species is expected to occur are the excavation area workspace, staging areas, additional parking area, and access roads (collectively, the Project Area).

The Project is expected to cause the temporary loss of 0.64 acre of habitat for the Covered Species. Impacts of the authorized taking also include adverse impacts to the Covered

<sup>3</sup> Under CESA, a species may be on the list of endangered species, the list of threatened species, or the list of candidate species.

<sup>4</sup>See Cal. Code Regs. tit. 14 § 670.5, subd. (a)(6)(D).

<sup>5</sup>See *Id.*, subd. (b)(6)(B).

<sup>6</sup>See *Id.*, subd. (b)(6)(E).

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; introduction or spread of invasive species; and long-term effects due to displacement from preferred habitat, loss of foraging habitat, changes in drainage patterns that favor different vegetative growth, increased pollution, increased competition for food and space, loss of burrowing habitat used for shelter, reproduction, and escape cover, and increased vulnerability to disease and 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. Authorized take of the Covered Species is expected to occur throughout the entire 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 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, staging and parking, and noise and vibration generating activities that may/will 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. ESA Compliance:** Permittee shall implement and adhere to the terms and conditions related to the Covered Species of the United States Fish and Wildlife Service (USFWS) and CDFW approval letters for the Project to purchase credits from the Kern Water Bank Conservation Bank as well as the terms and conditions set forth in the Kern Water Bank Conservation Bank Habitat Conservation Plan/Natural Community Conservation Plan pursuant to section 10(a)(1)(B) of the Federal Endangered Species Act and Fish and Game Code section 2800, respectively. For purposes of this ITP, where the terms and conditions for the Covered Species in the federal authorization are less protective of the Covered Species or otherwise conflict with this ITP, the conditions of approval set forth in this ITP shall control.

Incidental Take Permit  
No. 2081-2023-013-04  
SOUTHERN CALIFORNIA GAS COMPANY  
LINE 7049 MILEPOST 0.02 PIPE RECOAT AND ANODE INSTALL PROJECT

**3. 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.

**4. General Provisions:**

- 4.1. 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.
- 4.2. Designated Biologist(s) and Designated Monitor(s).** Permittee shall submit to CDFW in writing the name, qualifications, business address, contact information, and references with contact information of Designated Biologist(s) and Designated Monitor(s) using the Biologist Resume Example (Attachment 2) or another format containing the same information. This information shall be submitted for CDFW review and approval before starting Covered Activities. The Designated Monitor(s) shall assist the Designated Biologist(s) in compliance monitoring under direction/supervision of the Designated Biologist(s). Designated Monitor responsibilities will be restricted to specific Conditions of Approval, indicated by the Permittee or Designated Representative at the time their qualifications are submitted for review. Permittee shall ensure that the Designated Biologist(s) and Designated Monitor(s) are knowledgeable and experienced in the biology and natural history of the Covered Species. Permittee shall provide to CDFW the Designated Biologist's experience with collecting, handling, and excavating burrows to minimize mortality of TKR and SJAS, as well as experience with the eviction and excavation of dens being actively used by SJKF, and monitoring construction activities following the Conditions of Approval of an ITP for 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. 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(s) or Designated Monitor(s) must be changed.
- 4.3. Designated Biologist(s)/Designated Monitor(s) Authority.** To ensure compliance with the Conditions of Approval of this ITP, the Designated Biologist(s)/Designated Monitor(s) 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(s)/Designated Monitor(s) in the performance of his/her duties. If the Designated Biologist(s)/Designated Monitor(s) are unable to comply with the ITP, then the Designated Biologist(s)/Designated Monitor(s) 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(s)/Designated Monitor(s) 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.

- 4.4. Education Program.** Permittee shall conduct an education program for all persons employed or otherwise working in the Project Area before they can perform 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. Permittee shall provide CDFW with a copy of the education program materials before starting Covered Activities and copies of the signed acknowledgment forms with the Monthly Compliance Reports (Condition of Approval 5.6).
- 4.5. Construction Monitoring Documentation.** The Designated Biologist(s) and Biological Monitor(s) shall maintain construction-monitoring documentation on-site in either hard copy or digital format 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.
- 4.6. 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, and feral dogs.

- 4.7. 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.
- 4.8. Erosion Control Materials. Permittee shall prohibit use of erosion control materials potentially harmful to Covered Species and other species, such as monofilament netting (erosion control matting) or similar material, in potential Covered Species' habitat.
- 4.9. Dogs. Permittee shall prohibit domestic dogs from the Project Area and site access routes during Covered Activities, except those in the possession of authorized security personnel or local, State, or federal law enforcement officials.
- 4.10. Wildfire Avoidance. Permittee or Permittee's contractors shall minimize the potential for human-caused wildfires by carrying water or fire extinguishers and shovels in all Project-related vehicles and equipment. The use of shields, protective mats, or use of other fire preventative methods shall be used during grinding and welding to minimize the potential for fire. Personnel shall be trained regarding the fire hazard for wildlife as part of the worker education program described in Condition of Approval 4.4.
- 4.11. Delineation of Property Boundaries. Before starting Covered Activities, Permittee shall clearly delineate the boundaries of the Project Area where the Covered Activities will occur, with fencing, stakes, or flags along any part of the route in active construction. 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 in the Project Area and remove, and properly dispose of, all property delineation materials immediately upon completion.
- 4.12. 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. Permittee shall maintain all signs, stakes, flags, rope or cord, and fencing until the completion of Covered Activities in the Project Area and remove, and properly dispose of, all habitat delineation materials immediately upon completion.
- 4.13. Project Access. Project-related personnel shall access the Project Area using existing routes 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.

- 4.14. 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 4.13 of this ITP.
- 4.15. 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.
- 4.16. CDFW Access.** Permittee shall provide CDFW staff with reasonable access to the Project and mitigation lands under Permittee control and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in this ITP.
- 4.17. 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.
- 4.18. Rodenticide Use.** Permittee shall prohibit the use of rodenticides in the Project Area.

## **5. Monitoring, Notification and Reporting Provisions:**

- 5.1. Notification Before Commencement.** The Designated Representative shall notify CDFW before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities.
- 5.2. Notification of Non-compliance.** The Designated Representative or Designated Biologist 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 or Designated Biologist 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.

**5.3. Geographic Information Systems Data Files.** Before starting Covered Activities, the Permittee shall provide CDFW with Geographic Information Systems (GIS) data files for the temporary and/or permanent habitat impact areas authorized under this ITP for each Covered Species. If more than one Covered Species occurs in the same area, the Permittee shall provide one set of GIS data files for each species. If habitat for a Covered Species will be both temporarily and permanently impacted, the Permittee shall provide one set of GIS data files for each impact type. The Permittee shall provide any additional GIS data files for the Project or related Covered Species features within 30 days of CDFW's request. All GIS data files shall be provided in a format acceptable to CDFW.

**5.4. Compliance Monitoring.** The Designated Biologist shall be onsite daily for the duration of the day when Covered Activities occur. The Designated Biologist shall conduct compliance inspections a minimum of weekly during any periods of inactivity after clearing, grubbing, grading, and exclusion fencing installation are completed. 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.

**5.5. Record of Covered Species Relocated.** The Designated Biologist shall maintain a record of all Covered Species handled and observed. 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) and reproductive condition; (4) weight; (5) general condition and health, noting all visible conditions including gait and behavior, diarrhea, emaciation, salivation, hair loss, ectoparasites, and injuries; and (6) ambient temperature when handled and released. The Designated Biologist

shall prepare a Relocation Summary and include it in the Monthly Compliance Report described in Condition of Approval 5.6 below. The Relocation Summary in the Final Mitigation Report described in Condition of Approval 5.8 below shall include cumulative results, analysis of data collected, and conclusions.

- 5.6. Monthly Compliance Report.** The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in Conditions of Approval 5.4 and 5.5 above 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 and the education program signed acknowledgement forms as described in Condition of Approval 4.4 above. Monthly Compliance Reports shall also include an accounting of the number of acres that have been permanently and temporarily disturbed by the Project, both for the prior month, and the total since ITP issuance, if applicable; the number of acres of habitat disturbance anticipated to occur in the Project Area during the coming month, if applicable; a summary of all pre-activity surveys and compliance monitoring conducted during the previous month; and the activities authorized under the Covered Activities which occurred during the previous month. Monthly Compliance Reports shall be submitted via e-mail to CDFW's Regional Representative, CDFW's Regional Office, and Headquarters CESA Program no later than the 5<sup>th</sup> of each month following the first month after Covered Activities have commenced. At the time of this ITP's approval, the CDFW Regional Representative is Sarah Bahm ([Sarah.Bahm@wildlife.ca.gov](mailto:Sarah.Bahm@wildlife.ca.gov)), the CDFW Regional Office e-mail is [R4CESA@wildlife.ca.gov](mailto:R4CESA@wildlife.ca.gov) and Headquarters CESA Program e-mail is [CESA@wildlife.ca.gov](mailto: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.
- 5.7. CNDDDB Observations.** The Designated Biologist shall submit all observations of Covered Species to CDFW's California Natural Diversity Database (CNDDDB) within 15 calendar days of the observation and the Designated Biologist shall include copies of the submitted forms with the next Monthly Compliance Report.
- 5.8. Final Mitigation Report.** No later than 30 days after completion of all mitigation measures, Permittee shall provide CDFW with a Final Mitigation Report via e-mail as described in Condition of Approval 5.6 above. The Designated Biologist shall prepare the Final Mitigation Report which shall include, at a minimum: (1) a summary of all Monthly Compliance Reports and all ASRs; (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.

- 5.9. Notification of Take or Injury.** Permittee shall immediately notify the Designated Biologist if a Covered Species is taken or injured by a Project-related activity, or if a Covered Species is otherwise found dead or injured within the vicinity of the Project. The Designated Biologist or Designated Representative shall provide initial notification to CDFW by calling the Regional Office at (559) 243-4005 and by e-mail to the CDFW Regional Representative. 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. The report shall include the date and time of the finding or incident, location of the animal or carcass, and if possible provide a photograph, explanation as to cause of take or injury, and any other pertinent information.

**6. 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:

- 6.1. Designated Biologist On Site.** The Designated Biologist shall be on site for the duration of the day during all activities that may result in the take of Covered Species.
- 6.2. Work Hours.** Permittee shall confine all surface- or vegetation-disturbing activities to daylight hours (sunrise to sunset). Permittee shall ensure that all vehicle traffic necessary during nighttime hours shall be conducted with extra caution to minimize impacts to nocturnal species. Nightwork may only be permitted with written authorization from CDFW (email will suffice).
- 6.3. Lighting.** Permittee shall not use temporary, fixed, exterior lighting, including motion-triggered security lighting, that casts light on Covered Species habitat beyond the footprint of the Project Area between sunset and sunrise unless authorized in writing from CDFW. Temporary, exterior, fixed lighting at the Project Area shall be turned on only when people are present. Permittee shall not install permanent lighting at the Project Area.
- 6.4. Delineation of Ingress and Egress Routes.** Permittee shall flag or otherwise clearly mark all access roads in the field from the paved road and vehicle operation shall be limited to these designated ingress and egress routes.

- 6.5. Equipment Fueling.** Permittee shall ensure that all equipment fueling and equipment maintenance occur at least 100 feet from Covered Species burrows, unless approved in advance in writing by CDFW. Permittee shall ensure that sufficient spill containment and cleanup equipment shall be present at all fueling locations.
- 6.6. Vehicle Parking.** Permittee shall not allow vehicles to park on top of Covered Species burrows and dens, except within designated staging areas for which burrows and dens have been excavated per Conditions of Approval 6.24, 6.27, and 6.29. Vehicles left overnight shall be located at least 50 feet from all Covered Species burrows and dens.
- 6.7. Vehicle and Equipment Inspection.** Workers shall inspect for Covered Species under vehicles and equipment every time 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 shall move TKR and/or SJAS out of harm's way outside of the Project Area and in compliance with the approved TKR Mortality Reduction and Relocation Plan and/or SJAS Mortality Reduction and Relocation Plan required in Conditions of Approval 6.20 and 6.25, respectively, below.
- 6.8. Stockpiling Materials.** Permittee shall stockpile all materials and equipment in a manner that discourages Covered Species' use. In all locations, bundled or loose materials shall not be placed directly on the ground. These materials shall be elevated to discourage use by Covered Species.
- 6.9. Soil Stockpiles.** Permittee shall ensure that soil stockpiles are placed where soil will not pass into any other "Waters of the State," in accordance with Fish and Game Code Section 5650. Permittee shall protect stockpiles to prevent soil erosion.
- 6.10. 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 structure is subsequently moved, buried, or capped. If during inspection, a Covered Species is discovered inside a pipe, culvert, or similar structure, workers shall notify the Designated Biologist and wait for the Covered Species to move unimpeded to a safe location before moving and utilizing the structure. Alternatively, the Designated Biologist shall move the TKR and/or SJAS out of harm's way outside of the Project Area and in compliance with the approved TKR Mortality Reduction and Relocation Plan and/or SJAS Mortality Reduction and Relocation Plan required in Conditions of Approval 6.20 and 6.25, respectively, below.
- 6.11. Excavation Inspection.** The Designated Biologist and/or Designated Monitor shall inspect all trenches, open holes, sumps, and other excavations within the Project

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Area at the beginning and end of each day for trapped animals. All trenches, holes, sumps, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope shall be covered when workers or equipment are not actively working in the excavation, which includes cessation of work overnight, or shall have an escape ramp of earth or a non-slip material with a less than 1:1 (45 degree) slope. To prevent inadvertent entrapment of the Covered Species, the Designated Biologist and/or Designated Monitor shall oversee the covering of all trenches, holes, sumps, or other excavations with sidewalls greater than 1:1 (45 degree) slope of any depth with barrier material (such as hardware cloth) at the close of each working day such that animals are unable to dig or squeeze under the barrier and become entrapped. The outer two feet of excavation cover shall conform to solid ground so that gaps do not occur between the cover and the ground and secured with soil staples or similar means to prevent gaps. Each morning, end of each day (including weekends and any other non-work days unless temporary exclusion fencing completely surrounds the Project Area), and immediately before trenches, holes, sumps, or other excavations are back-filled, the Designated Biologist and/or Designated Monitor shall thoroughly inspect them for Covered Species. Designated Biologist and/or Designated Monitor shall also thoroughly inspect any trenches, holes, sumps, or other excavations that are covered long-term at the beginning of each working day to ensure inadvertent entrapment has not occurred and shall make any necessary repairs to the cover. If any worker discovers a Covered Species has become trapped, Permittee shall cease all Covered Activities in the vicinity and notify the Designated Biologist immediately. Project workers and the Designated Biologist shall allow the Covered Species to escape unimpeded if possible before Covered Activities are allowed to continue. Alternatively, the Designated Biologist shall move TKR and/or SJAS out of harm's way outside of the Project Area and in compliance with the approved TKR Mortality Reduction and Relocation Plan and/or SJAS Mortality Reduction and Relocation Plan required in Conditions of Approval 6.20 and 6.25, respectively, below.

- 6.12. Pipes and other Structures Entrapment Prevention.** Permittee shall ensure that all pipes, hoses, conduit, culverts, or similar materials stockpiled or installed in the Project Area are capped or otherwise enclosed at the ends to prevent entry by Covered Species. Permittee shall not leave any permanent pipes, conduit, electrical cabinets, or similar materials or structures open where Covered Species may enter them and become trapped. The Designated Biologist and/or Designated Monitor shall thoroughly inspect all such materials for Covered Species before they are moved, buried, or capped. If a Covered Species is discovered inside such material, that section of material shall not be moved until the animal has escaped of its own accord. If a Covered Species inside such materials does not vacate of its own accord within a reasonable timeframe, CDFW shall be contacted and Permittee shall get written concurrence prior to proceeding with eviction of the Covered Species.

- 6.13. Covered Species Observations.** All workers shall inform the Designated Biologist if the Covered Species is seen within or near the Project Area during implementation of any Covered Activity. All work in the vicinity of the Covered Species, which could harm the animal, shall cease until the Covered Species moves from the Project Area of its own accord or the Designated Biologist moves the TKR and/or SJAS out of harm's way outside of the Project Area and in compliance with the approved TKR Mortality Reduction and Relocation Plan and/or SJAS Mortality Reduction and Relocation Plan required in Conditions of Approval 6.20 and 6.25, respectively, below.
- 6.14. Delineation of Environmentally Sensitive Areas.** Permittee shall clearly delineate Environmentally Sensitive Areas before Covered Activities commence in the Project Area. Environmentally Sensitive Areas shall be marked with brightly-colored markers visible to workers with posted signs, posting stakes, flags, and/or rope or cord, and place fencing as necessary to minimize the disturbance of Covered Species. Environmentally Sensitive Areas are defined as all areas that warrant special protection and no-disturbance exclusion buffers, as defined in Conditions of Approval 6.21, 6.26, and 6.28. Permittee shall maintain Environmentally Sensitive Area markers in good repair for the duration of the Covered Activities in the Project Area and all markers shall be removed and properly disposed of immediately upon completion of Covered Activities in the Project Area. No Covered Activities are allowed within Environmentally Sensitive Areas except per Conditions of Approval 6.16, 6.17, 6.18, and 6.22.
- 6.15. Vegetation Removal.** Prior to beginning Covered Activities, Permittee shall cut/clip and remove any woody vegetation (i.e., shrubs) within the Project Area that will be disturbed by Covered Activities to encourage Covered Species to move out of the area. The Designated Biologist shall supervise shrub removal to ensure hand tools are used to cut/clip the vegetation at the base of the plants.
- 6.16. Pre-Construction Surveys and Burrow/Den Map Reporting.** The Designated Biologist(s) shall perform pre-construction surveys for the Covered Species no more than seven (7) calendar days prior to beginning Covered Activities.
- 6.16.1. TKR Surveys.** The Designated Biologist shall survey the Project Area and 50 feet beyond the limits of the Project Area to identify, flag, and map all potential TKR burrows, whether they appear active or inactive, no more than seven (7) calendar days prior to beginning Covered Activities in the Project Area. Permittee shall provide the results in a TKR Burrow Map Survey written report to CDFW's Regional Representative at least three (3) calendar days prior to beginning Covered Activities. The report shall include, but not be limited to, methodology, date and time of survey, the number of potential TKR burrows, a discussion and map of the locations of



each potential TKR burrow and the date when TKR relocation will occur as described in Condition of Approval 6.20 below.

- 6.16.2. **SJAS Surveys.** The Designated Biologist shall survey the Project Area and 50 feet beyond the limits of the Project Area to identify, flag, and map all potential SJAS burrows no more than seven (7) calendar days prior to beginning Covered Activities in the Project Area. Permittee shall provide the survey results in a written report to CDFW's Regional Representative at least three (3) calendar days prior to beginning Covered Activities. The report shall include, but not be limited to, methodology, date and time of survey, a discussion and map of the locations of each potential SJAS burrow.
- 6.16.3. **SJKF Surveys.** The Designated Biologist shall conduct surveys to identify potential, known, and natal SJKF dens. Surveys shall include the Project Area and 50 feet beyond the limits of the Project Area to identify all potential SJKF dens as well as a buffer zone of 500 feet beyond (where feasible) the limits of the Project Area to identify known and/or natal SJKF dens. If the Designated Biologist identifies any known and/or natal SJKF dens, the den(s) shall be monitored for at least two (2) consecutive nights with tracking medium and infrared camera to determine the current use of the den(s). Permittee shall provide the pre-construction survey results in a written report to CDFW's Regional Representative at least three (3) calendar days prior to the beginning of Covered Activities. The report shall include, but not be limited to, methodology, date, and time of the survey, and the number, a discussion, and map of the locations of each potential, known, and natal SJKF den identified.
- 6.17. **Temporary Exclusion Fencing.** Permittee shall install trenchless Temporary Exclusion Fencing around the perimeter of the Project Area immediately following surveys to flag all potential Covered Species burrows and dens in accordance with Condition of Approval 6.16 above and immediately prior to TKR relocation in accordance with Condition of Approval 6.22 below. Fencing shall only be installed around the workspace surrounding and staging area connected to the excavation area. Permittee shall submit for review and approval in writing by CDFW an Exclusion Fencing Plan which shall include, but not be limited to, the fencing material, design, installation methods, access gates, and a map of installation locations prior to installing fencing.
- 6.18. **Temporary Exclusion Fencing Installation.** The Designated Biologist shall accompany the exclusion fence installation crew to ensure that Covered Species are not killed or injured during fence installation. The Designated Biologist shall ensure all small mammal burrow entrances are avoided (i.e., not covered) by fencing material during fence installation. The Designated Biologist shall ensure the

Temporary Exclusion Fencing is sufficiently supported to maintain its integrity under all conditions such as wind and heavy rain for the duration of the Covered Activities in the Project Area. The Designated Biologist shall check the Temporary Exclusion Fence daily when Covered Activities are occurring within the Project Area and at least once weekly during periods of inactivity and maintain/repair the fence when necessary. Temporary Exclusion Fencing shall be removed immediately upon completion of Covered Activities within the Project Area.

- 6.19. 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. 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 Condition of Approval 5.9. Notification shall include the name of the facility where the animal was taken.

#### *TKR-Specific Measures*

- 6.20. TKR Mortality Reduction and Relocation Plan.** Permittee shall submit a TKR Mortality Reduction and Relocation Plan to CDFW prior to beginning Covered Activities. Trapping, burrow excavation, and other relocation activities shall not proceed until this plan has been approved in writing by CDFW's Regional Representative. The TKR Mortality Reduction and Relocation Plan shall include, but not be limited to, timing; detailed description of trapping methodology; detailed burrow excavation methods; release location(s); detailed release methods (i.e., soft release or another method); artificial burrow design and installation methods; description of exclusion fencing type and implementation; and identification of a wildlife rehabilitation center or veterinary facility capable of and willing to treat injured TKR. Only the Designated Biologist is authorized to capture, handle, and relocate TKR. Once the TKR Mortality Reduction and Relocation Plan is approved in writing by CDFW, it shall be used for all TKR mortality reduction activities for the duration of this ITP. Any proposed changes to the CDFW-approved TKR Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed TKR Mortality Reduction and Relocation Plan modifications.
- 6.21. TKR Burrow Avoidance.** The Designated Biologist shall establish a no-disturbance buffer of 50 feet or greater around suspected or known to be occupied TKR burrows within the Project Area. If the 50-foot no-disturbance buffer cannot be established, live trapping, relocation, and burrow excavation shall occur in accordance with Conditions of Approval 6.22, 6.23, and 6.24 below.

- 6.22. TKR Relocation.** Any potential TKR burrows detected by the Designated Biologist within the Project Area that cannot be avoided per Condition of Approval 6.21 shall be live trapped for one (1) night by the Designated Biologist immediately following exclusion fencing installation and prior to commencing Covered Activities within the Project Area. The Designated Biologist shall relocate any captured TKR to the CDFW-approved release site identified in the TKR Mortality Reduction and Relocation Plan (Condition of Approval 6.20).
- 6.23. TKR Relocation Weather Constraints.** During the threat of inclement weather, such as the National Weather Service prediction of a 30 percent or greater chance of rain that can be independently verified by both CDFW and the Permittee, the Designated Biologist shall close all traps for TKR. Additionally, the Designated Biologist shall close all traps for TKR if the air temperature exceeds 105 degrees Fahrenheit during the trapping period (i.e., at night). If the air temperature is predicted to drop below 50 degrees Fahrenheit during the trapping period, the Designated Biologist shall place natural or synthetic batting, or the appropriate insulating material, into each open trap. The Designated Biologist shall replace this material with new material after each time a capture occurs in a given trap. The Designated Biologist shall cease trapping if captured animals are found to be lethargic or are otherwise showing signs of a decrease in body temperature.
- 6.24. TKR Burrow Excavation.** Immediately following live trapping activities conducted to address Condition of Approval 6.22 and prior to beginning Covered Activities within the Project Area, the Designated Biologist, or individuals under the direct supervision of the Designated Biologist, shall fully excavate by hand all potential TKR burrows within each fenced Project Area to be disturbed by Covered Activities. The Designated Biologist shall relocate any TKR encountered during burrow excavation to the CDFW-approved release site(s) identified in the TKR Mortality Reduction and Relocation Plan (Condition of Approval 6.20).

#### *SJAS-Specific Measures*

- 6.25. SJAS Mortality Reduction and Relocation Plan.** Permittee shall submit a SJAS Mortality Reduction and Relocation Plan to CDFW prior to beginning Covered Activities. Burrow excavation activities shall not proceed until this plan has been approved in writing by CDFW's Regional Representative. The SJAS Mortality Reduction and Relocation Plan shall include, but not be limited to, timing; detailed burrow excavation methods; release location(s); detailed release methods (i.e., soft release, hard release, or another method); artificial burrow design and installation methods (if needed); and identification of a wildlife rehabilitation center or veterinary facility capable of and willing to treat injured SJAS. Only the Designated Biologist is authorized to capture, handle, and relocate SJAS. Once the SJAS Mortality Reduction and Relocation Plan is approved in writing by CDFW, it shall be used for all SJAS mortality reduction activities for the duration of this ITP. Any

proposed changes to the CDFW-approved SJAS Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed SJAS Mortality Reduction and Relocation Plan modifications.

- 6.26. SJAS Burrow Avoidance.** The Designated Biologist shall establish a no-disturbance buffer of 50 feet or greater around suspected or known to be occupied SJAS burrows within the Project Area. If the 50-foot no-disturbance buffer cannot be established, burrow excavation shall occur in accordance with Condition of Approval 6.27 below.
- 6.27. SJAS Burrow Excavation.** Immediately following completion of TKR Relocation activities conducted to address Condition of Approval 6.22 and prior to commencing Covered Activities within the Project Area, the Designated Biologist, or an individual under the direct supervision of the Designated Biologist, shall fully excavate by hand any potential SJAS burrows present within the portion of the Project Area to be disturbed by Covered Activities. Any SJAS encountered during burrow excavation shall be allowed to escape out of harm's way to the adjacent natural habitat or relocated to the CDFW-approved release site identified in the SJAS Mortality Reduction and Relocation Plan (Condition of Approval 6.25) by the Designated Biologist. Any dormant, lactating/nursing female, or dependent juvenile Covered Species encountered shall be collected (with salvageable burrow contents) by the Designated Biologist and relocated (with salvaged burrow contents) to an artificial burrow installed at the CDFW-approved release site.

#### *SJKF-Specific Measures*

- 6.28. SJKF Den Avoidance.** Permittee shall avoid destroying SJKF dens unless they are in an area of direct ground disturbance (e.g., excavation/trench area) or their location poses a risk of direct harm to SJKF individuals. Dens in areas of temporary disturbance shall remain intact and the Designated Biologist shall block the entrance by installing an object approved in advance in writing by CDFW to prevent SJKF from entering and utilizing the den during Covered Activities. The Designated Biologist shall remove the object immediately after Covered Activities are completed in the Project Area when the Designated Biologist has determined that potential resumed use of the den will not result in harm to SJKF. Permittee shall not destroy or modify dens that are beyond the direct footprint of ground disturbance to preempt their use and den buffer establishment. If a potential SJKF den (any subterranean hole, three inches or larger, for which no evidence is present to conclude that the den is being used or has been used by a SJKF) is discovered or a SJKF is found in an "atypical" den (e.g., a pipe or culvert), Permittee shall establish a minimum 50-foot no-disturbance buffer around the den. If a known den (one that shows evidence of current use or was used in the past) is discovered, Permittee shall establish a minimum no-disturbance buffer of at least

100 feet around the den. If a natal den (den in which SJKF young are reared, typically with two or more openings) is discovered, Permittee shall establish a no-disturbance buffer of at least 200 feet around the den. Natal dens with pups shall have a no-disturbance buffer of at least 500 feet. Permittee shall notify the United States Fish and Wildlife Service (USFWS) and CDFW's Regional Representative immediately via telephone and email if any SJKF-occupied atypical dens, known dens, or natal dens are discovered within or immediately adjacent to the Project Area. An established SJKF den no-disturbance buffer may be removed once the SJKF is no longer using the area.

- 6.29. SJKF Den Excavation.** The Designated Biologist or individuals under direct supervision of the Designated Biologist shall excavate potential or known dens that exhibit signs of SJKF use or characteristics suggestive of SJKF dens (including dens in natural substrate and in/under man-made structures) that cannot be avoided as per Condition of Approval 6.28 only after the Designated Biologist has determined that SJKF is not currently present after two (2) consecutive nights of monitoring with tracking medium and infrared camera. Potential SJKF dens without any signs of SJKF use or characteristics suggesting it is a SJKF den may be excavated under the direct supervision of the Designated Biologist without advance tracking or camera monitoring. Natal dens shall not be excavated until the pups and adults have vacated the den and then only after concurrence from the USFWS and CDFW. If the excavation process reveals evidence of current use by SJKF, then den excavation shall cease immediately and tracking or camera monitoring as described above shall be conducted/resumed. Excavation of the den shall only resume when, in the judgment of the Designated Biologist, the SJKF has escaped from the partially excavated den. SJKF dens shall be carefully excavated until it is clear no individuals of SJKF are inside. Dens to be destroyed shall be fully excavated, filled with dirt and compacted to ensure that SJKF cannot reenter or use the den during the period that Covered Activities would occur in the Project Area. If an individual SJKF does not vacate a den within the Project Area within a reasonable timeframe, Permittee shall consult with CDFW and the USFWS to obtain written guidance from both agencies prior to proceeding with den destruction.

## **7. Habitat Management Land Acquisition:**

Based on previous captures and observations of the Covered Species and the number of small mammal burrows and dens currently documented within the Project Area and vicinity, CDFW has determined that permanent protection and perpetual management of compensatory habitat is necessary and required pursuant to CESA to fully mitigate Project-related impacts of the taking on the Covered Species that will result with implementation of the Covered Activities. This determination is based on factors including an assessment of the importance of the habitat in the Project Area, the extent to which the Covered Activities will impact the Covered Species and habitat, and CDFW's estimate of the acreage required to provide for adequate compensation.

To meet this requirement, the Permittee shall purchase 1.7 Covered Species credits from a CDFW-approved conservation bank. The Permittee shall use existing Covered Species credits from its balance of 2.056 conservation credits from the Coles Levee Ecosystem Preserve (CLEP) and purchase conservation credits from the Kern Water Bank Authority (KWBA) (Condition of Approval 7.1).

- 7.1. Covered Species Credits.** Prior to initiating Covered Activities, the Permittee shall: (1) assign 0.7 acres of Covered Species credits from CLEP; (2) provide CDFW with a copy of the mitigation or conservation credit certificate issued by CLEP and a credit ledger or similar document from CLEP verifying credits have been assigned to this Project; (3) purchase one (1) conservation credit from the KWBA; and (4) provide CDFW with a copy of the conservation credit certificate issued by KWBA and a credit ledger or similar document from KWBA verifying credits have been assigned to this Project. Copies of the credit certificate/assignment ledger shall be kept at the Project Area while conducting Covered Activities.

#### **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. 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.

**XII. 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 (2081-2023-013-04) 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

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

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Unless Permittee is notified otherwise, CDFW's Regional Representative for purposes of addressing issues that arise during implementation of this ITP is:

Sarah Bahm  
California Department of Fish and Wildlife  
1234 East Shaw Avenue  
Fresno, California 93710  
Telephone (559) 580-3195  
Sarah.Bahm@wildlife.ca.gov

### **XIII. 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 exempt from CEQA because it is an action "necessary to prevent or mitigate an emergency." (Pub. Resources Code, §21080, subd. (b)(4).) and "necessary to maintain service essential to the public health, safety or welfare, including those that require a reasonable amount of planning to address an anticipated emergency" Cal. Code Regs., tit. 14, §15269, subd. (b). CDFW has filed a Notice of Exemption for the Project.

### **XIV. 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;
- (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 1.7 acres of compensatory habitat that is contiguous with other protected Covered Species habitat and/or is of higher quality than the habitat being destroyed by the Project, along with the minimization, monitoring, reporting, and funding requirements of this ITP minimizes and fully mitigates the impacts of the taking caused by the Project;

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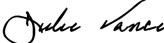
- (3) The take avoidance and mitigation measures required pursuant to the conditions of this ITP and its attachments are roughly proportional in extent to the impacts of the taking authorized by this ITP;
- (4) The measures required by this ITP maintain Permittee's objectives to the greatest extent possible;
- (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.

#### **XV. Attachments:**

FIGURE 1	Project Vicinity Map
FIGURE 2	Detailed Project Overview Map
FIGURE 3	Covered Species Habitat Disturbance Map
ATTACHMENT 1	Mitigation Monitoring and Reporting Program
ATTACHMENT 2	Biologist Resume Form

#### **ISSUED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**

ON 5/11/2023

DocuSigned by:  
  
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Julie A. Vance, Regional Manager  
 CENTRAL REGION

Incidental Take Permit  
 No. 2081-2023-013-04  
 SOUTHERN CALIFORNIA GAS COMPANY  
 LINE 7049 MILEPOST 0.02 PIPE RECOAT AND ANODE INSTALL PROJECT

## 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:

*Erika Esparza*

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By: \_\_\_\_\_

Date: 5/15/2023


Printed Name: Erika Esparza

Title: Project Manager

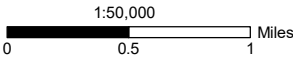
Incidental Take Permit  
No. 2081-2023-013-04  
SOUTHERN CALIFORNIA GAS COMPANY  
LINE 7049 MILEPOST 0.02 PIPE RECOAT AND ANODE INSTALL PROJECT



**Figure 1: Project Vicinity Map** **Line 7049 Milepost 0.02 Pipe Recoat Anode Install Project**

 Workspace

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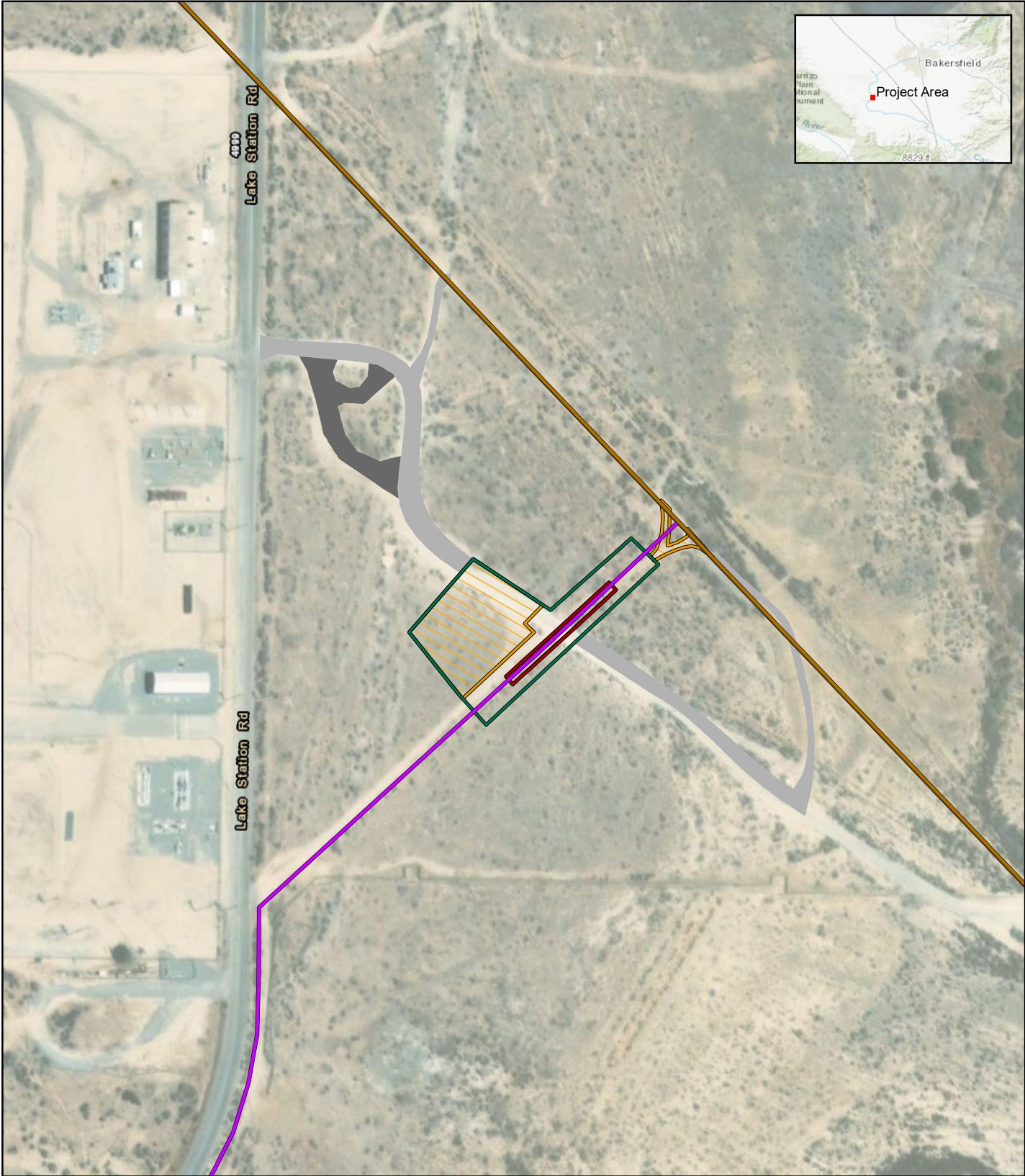
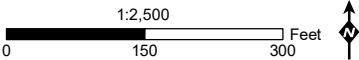


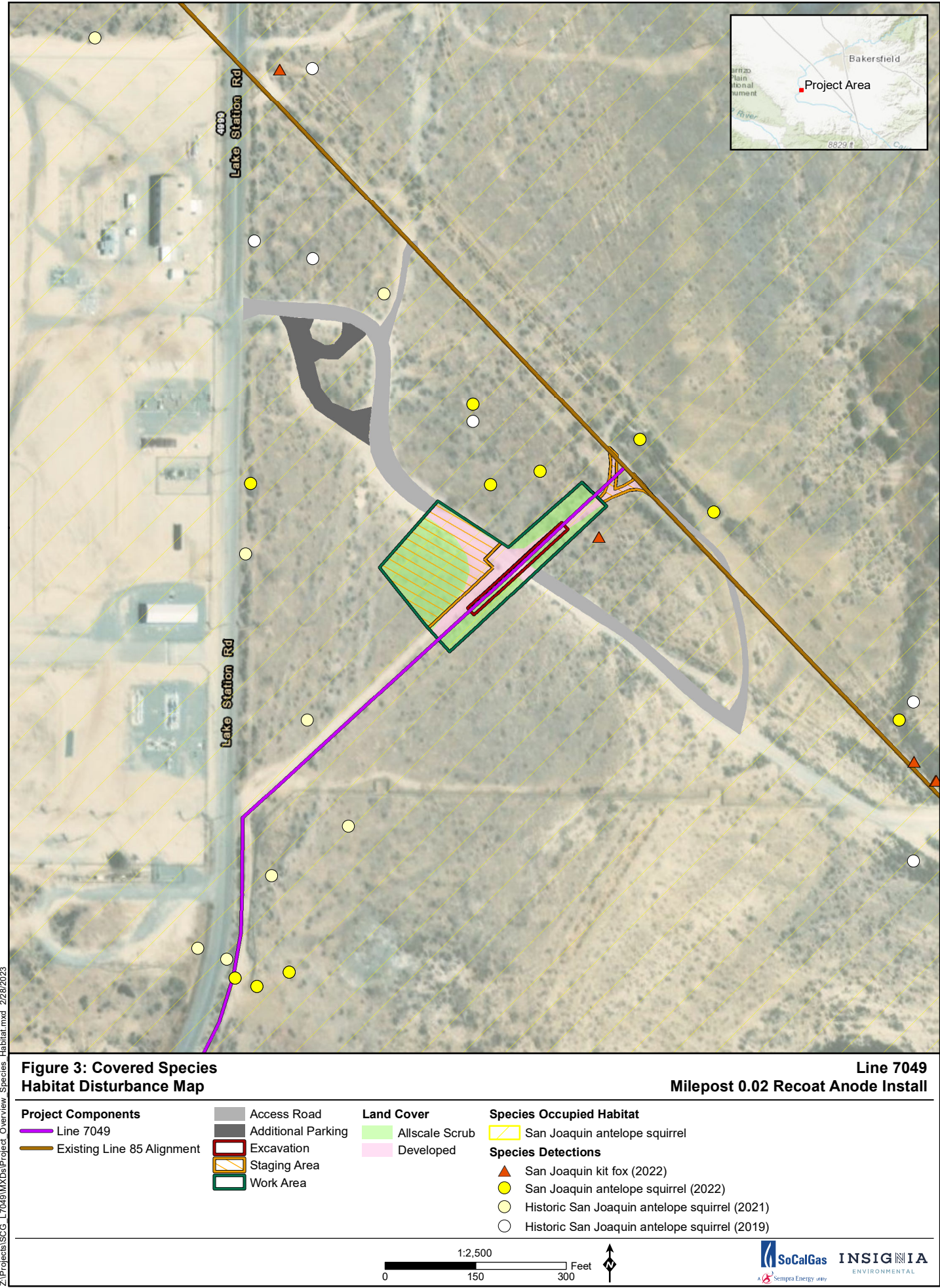
Figure 2: Detailed Project Overview Map

Line 7049 Milepost 0.02 Recoat Anode Install

- Project Components**
- Line 7049
  - Existing Line 85 Alignment
  - Access Road
  - Additional Parking
  - Excavation
  - Staging Area
  - Work Area







**Attachment 1**

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

**INCIDENTAL TAKE PERMIT NO. 2081-2023-013-04**

**PERMITTEE: Southern California Gas Company**

**PROJECT: Line 7049 Milepost 0.02 Recoat and Anode Install  
Project**

**PURPOSE OF THE 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
<b>BEFORE DISTURBING SOIL OR VEGETATION</b>					
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 # 4.1	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 in writing the name, qualifications, business address, contact information, and references with contact information of Designated Biologist(s) and Designated Monitor(s) using the Biologist Resume Example (Attachment 2) or another format containing the same information. This information shall be submitted for CDFW review and approval before starting Covered Activities. The Designated Monitor(s) shall assist the Designated Biologist(s) in compliance monitoring under direction/supervision of the Designated Biologist(s). Designated Monitor responsibilities will be restricted to specific Conditions of Approval, indicated by the Permittee or Designated Representative at the time their qualifications are submitted for review. Permittee shall ensure that the Designated Biologist(s) and Designated Monitor(s) are knowledgeable and experienced in the biology and natural history of the Covered Species. Permittee shall provide to CDFW the Designated Biologist's experience with collecting, handling, and excavating burrows to minimize mortality of TKR and SJAS, as well as experience with the eviction and excavation of dens being actively used by SJKF, and monitoring construction activities following the Conditions of Approval of an ITP for 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. 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(s) or Designated Monitor(s) must be changed.	ITP Condition # 4.2	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 they can perform 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. Permittee shall provide CDFW with a copy of the education program materials before starting Covered Activities and copies of the signed acknowledgment forms with the Monthly Compliance Reports (Condition of Approval 5.6).	ITP Condition # 4.4	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
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, and feral dogs.	ITP Condition # 4.6	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	



	<b>Mitigation Measure</b>	<b>Source</b>	<b>Implementation Schedule</b>	<b>Responsible Party</b>	<b>Status / Date / Initials</b>
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 # 4.7	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
6	<u>Delineation of Property Boundaries</u> . Before starting Covered Activities, Permittee shall clearly delineate the boundaries of the Project Area where the Covered Activities will occur, with fencing, stakes, or flags along any part of the route in active construction. 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 in the Project Area and remove, and properly dispose of, all property delineation materials immediately upon completion.	ITP Condition # 4.11	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
7	<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. Permittee shall maintain all signs, stakes, flags, rope or cord, and fencing until the completion of Covered Activities in the Project Area and remove, and properly dispose of, all habitat delineation materials immediately upon completion.	ITP Condition # 4.12	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
8	<u>Notification Before Commencement</u> . The Designated Representative shall notify CDFW before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities.	ITP Condition # 5.1	Before commencing ground- or vegetation-disturbing activities	Permittee	
9	<u>Geographic Information Systems Data Files</u> . Before starting Covered Activities, the Permittee shall provide CDFW with Geographic Information Systems (GIS) data files for the temporary and/or permanent habitat impact areas authorized under the ITP for each Covered Species. If more than one Covered Species occurs in the same area, the Permittee shall provide one set of GIS data files for each species. If habitat for a Covered Species will be both temporarily and permanently impacted, the Permittee shall provide one set of GIS data files for each impact type. The Permittee shall provide any additional GIS data files for the Project or related Covered Species features within 30 days of CDFW's request. All GIS data files shall be provided in a format acceptable to CDFW.	ITP Condition # 5.3	Before commencing ground- or vegetation-disturbing activities	Permittee	
10	<u>Record of Covered Species Relocated</u> . The Designated Biologist shall maintain a record of all Covered Species handled and observed. 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) and reproductive condition; (4) weight; (5) general condition and health, noting all visible conditions including gait and behavior, diarrhea, emaciation, salivation, hair loss, ectoparasites, and injuries; and (6) ambient temperature when handled and released. The Designated Biologist shall prepare a Relocation Summary and include it in the Monthly Compliance Report described in Condition of Approval 5.6. The Relocation Summary in the Final Mitigation Report described in Condition of Approval 5.8 shall include cumulative results, analysis of data collected, and conclusions.	ITP Condition # 5.5	Before commencing ground- or vegetation-disturbing activities / Entire Project	Designated Biologist	
11	<u>Delineation of Ingress and Egress Routes</u> . Permittee shall flag or otherwise clearly mark all access roads in the field from the paved road and vehicle operation shall be limited to these designated ingress and egress routes.	ITP Condition # 6.4	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
12	<u>Delineation of Environmentally Sensitive Areas.</u> Permittee shall clearly delineate Environmentally Sensitive Areas before Covered Activities commence in the Project Area. Environmentally Sensitive Areas shall be marked with brightly colored markers visible to workers with posted signs, posting stakes, flags, and/or rope or cord, and place fencing as necessary to minimize the disturbance of Covered Species. Environmentally Sensitive Areas are defined as all areas that warrant special protection and no-disturbance exclusion buffers, as defined in Conditions of Approval 6.21, 6.26, and 6.28. Permittee shall maintain Environmentally Sensitive Area markers in good repair for the duration of the Covered Activities in the Project Area and all markers shall be removed and properly disposed of immediately upon completion of Covered Activities in the Project Area. No Covered Activities are allowed within Environmentally Sensitive Areas except per Conditions of Approval 6.16, 6.17, 6.18, 6.22.	ITP Condition # 6.14	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
13	<u>Vegetation Removal.</u> Prior to beginning Covered Activities, Permittee shall cut/clip and remove any woody vegetation (i.e., shrubs) within the Project Area that will be disturbed by Covered Activities to encourage Covered Species to move out of the area. The Designated Biologist shall supervise shrub removal to ensure hand tools are used to cut/clip the vegetation at the base of the plants.	ITP Condition # 6.15	Before commencing ground- or vegetation-disturbing activities	Permittee / Designated Biologist	
14	<p><u>Pre-Construction Surveys and Burrow/Den Map Reporting.</u> The Designated Biologist(s) shall perform pre-construction surveys for the Covered Species no more than seven (7) calendar days prior to beginning Covered Activities.</p> <ul style="list-style-type: none"> <li>• <u>TKR Surveys.</u> The Designated Biologist shall survey the Project Area and 50 feet beyond the limits of the Project Area to identify, flag, and map all potential TKR burrows, whether they appear active or inactive, no more than seven (7) calendar days prior to beginning Covered Activities in the Project Area. Permittee shall provide the results in a TKR Burrow Map Survey written report to CDFW's Regional Representative at least three (3) calendar days prior to beginning Covered Activities. The report shall include, but not be limited to, methodology, date and time of survey, the number of potential TKR burrows, a discussion and map of the locations of each potential TKR burrow and the date when TKR relocation will occur as described in Condition of Approval 6.20.</li> <li>• <u>SJAS Surveys.</u> The Designated Biologist shall survey the Project Area and 50 feet beyond the limits of the Project Area to identify, flag, and map all potential SJAS burrows no more than seven (7) calendar days prior to beginning Covered Activities in the Project Area. Permittee shall provide the survey results in a written report to CDFW's Regional Representative at least three (3) calendar days prior to beginning Covered Activities. The report shall include, but not be limited to, methodology, date and time of survey, a discussion and map of the locations of each potential SJAS burrow.</li> <li>• <u>SJKF Surveys.</u> The Designated Biologist shall conduct surveys to identify potential, known, and natal SJKF dens. Surveys shall include the Project Area and 50 feet beyond the limits of the Project Area to identify all potential SJKF dens as well as a buffer zone of 500 feet beyond (where feasible) the limits of the Project Area to identify known and/or natal SJKF dens. If the Designated Biologist identifies any known and/or natal SJKF dens, the den(s) shall be monitored for at least two (2) consecutive nights with tracking medium and infrared camera to determine the current use of the den(s). Permittee shall provide the pre-construction survey results in a written report to CDFW's Regional Representative at least three (3) calendar days prior to the beginning of Covered Activities. The report shall include, but not be limited to, methodology, date, and time of the survey, and the number, a discussion, and map of the locations of each potential, known, and natal SJKF den identified.</li> </ul>	ITP Condition # 6.16	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	

	<b>Mitigation Measure</b>	<b>Source</b>	<b>Implementation Schedule</b>	<b>Responsible Party</b>	<b>Status / Date / Initials</b>
15	<u>Temporary Exclusion Fencing</u> . Permittee shall install trenchless Temporary Exclusion Fencing around the perimeter of the Project Area immediately following surveys to flag all potential Covered Species burrows and dens in accordance with Condition of Approval 6.16 and immediately prior to TKR relocation in accordance with Condition of Approval 6.22. Fencing shall only be installed around the workspace surrounding and staging area connected to the excavation area. Permittee shall submit for review and approval in writing by CDFW an Exclusion Fencing Plan which shall include, but not be limited to, the fencing material, design, installation methods, access gates, and a map of installation locations prior to installing fencing.	ITP Condition # 6.17	Before commencing ground- or vegetation-disturbing activities	Permittee	
16	<u>Temporary Exclusion Fencing Installation</u> . The Designated Biologist shall accompany the exclusion fence installation crew to ensure that Covered Species are not killed or injured during fence installation. The Designated Biologist shall ensure all small mammal burrow entrances are avoided (i.e., not covered) by fencing material during fence installation. The Designated Biologist shall ensure the Temporary Exclusion Fencing is sufficiently supported to maintain its integrity under all conditions such as wind and heavy rain for the duration of the Covered Activities in the Project Area. The Designated Biologist shall check the Temporary Exclusion Fence daily when Covered Activities are occurring within the Project Area and at least once weekly during periods of inactivity and maintain/repair the fence when necessary. Temporary Exclusion Fencing shall be removed immediately upon completion of Covered Activities within the Project Area.	ITP Condition # 6.18	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
17	<u>TKR Mortality Reduction and Relocation Plan</u> . Permittee shall submit a TKR Mortality Reduction and Relocation Plan to CDFW prior to beginning Covered Activities. Trapping, burrow excavation, and other relocation activities shall not proceed until this plan has been approved in writing by CDFW's Regional Representative. The TKR Mortality Reduction and Relocation Plan shall include, but not be limited to, timing; detailed description of trapping methodology; detailed burrow excavation methods; release location(s); detailed release methods (i.e., soft release or another method); artificial burrow design and installation methods; description of exclusion fencing type and implementation; and identification of a wildlife rehabilitation center or veterinary facility capable of and willing to treat injured TKR. Only the Designated Biologist is authorized to capture, handle, and relocate TKR. Once the TKR Mortality Reduction and Relocation Plan is approved in writing by CDFW, it shall be used for all TKR mortality reduction activities for the duration of the ITP. Any proposed changes to the CDFW-approved TKR Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed TKR Mortality Reduction and Relocation Plan modifications.	ITP Condition # 6.20	Before commencing ground- or vegetation-disturbing activities	Permittee	
18	<u>TKR Burrow Avoidance</u> . The Designated Biologist shall establish a no-disturbance buffer of 50 feet or greater around suspected or known to be occupied TKR burrows within the Project Area. If the 50-foot no-disturbance buffer cannot be established, live trapping, relocation, and burrow excavation shall occur in accordance with Conditions of Approval 6.22, 6.23, and 6.24.	ITP Condition # 6.21	Before commencing ground- or vegetation-disturbing activities / Entire Project	Designated Biologist	
19	<u>TKR Relocation</u> . Any potential TKR burrows detected by the Designated Biologist within the Project Area that cannot be avoided per Condition of Approval 6.21 shall be live trapped for one (1) night by the Designated Biologist immediately following exclusion fencing installation and prior to commencing Covered Activities within the Project Area. The Designated Biologist shall relocate any captured TKR to the CDFW-approved release site identified in the TKR Mortality Reduction and Relocation Plan (Condition of Approval 6.20).	ITP Condition # 6.22	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	

	<b>Mitigation Measure</b>	<b>Source</b>	<b>Implementation Schedule</b>	<b>Responsible Party</b>	<b>Status / Date / Initials</b>
20	<u>TKR Relocation Weather Constraints</u> . During the threat of inclement weather, such as the National Weather Service prediction of a 30 percent or greater chance of rain that can be independently verified by both CDFW and the Permittee, the Designated Biologist shall close all traps for TKR. Additionally, the Designated Biologist shall close all traps for TKR if the air temperature exceeds 105 degrees Fahrenheit during the trapping period (i.e., at night). If the air temperature is predicted to drop below 50 degrees Fahrenheit during the trapping period, the Designated Biologist shall place natural or synthetic batting, or the appropriate insulating material, into each open trap. The Designated Biologist shall replace this material with new material after each time a capture occurs in a given trap. The Designated Biologist shall cease trapping if captured animals are found to be lethargic or are otherwise showing signs of a decrease in body temperature.	ITP Condition # 6.23	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
21	<u>TKR Burrow Excavation</u> . Immediately following live trapping activities conducted to address Condition of Approval 6.22 and prior to beginning Covered Activities within the Project Area, the Designated Biologist, or individuals under the direct supervision of the Designated Biologist, shall fully excavate by hand all potential TKR burrows within each fenced Project Area to be disturbed by Covered Activities. The Designated Biologist shall relocate any TKR encountered during burrow excavation to the CDFW-approved release site(s) identified in the TKR Mortality Reduction and Relocation Plan (Condition of Approval 6.20).	ITP Condition # 6.24	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
22	<u>SJAS Mortality Reduction and Relocation Plan</u> . Permittee shall submit a SJAS Mortality Reduction and Relocation Plan to CDFW prior to beginning Covered Activities. Burrow excavation activities shall not proceed until this plan has been approved in writing by CDFW's Regional Representative. The SJAS Mortality Reduction and Relocation Plan shall include, but not be limited to, timing; detailed burrow excavation methods; release location(s); detailed release methods (i.e., soft release, hard release, or another method); artificial burrow design and installation methods (if needed); and identification of a wildlife rehabilitation center or veterinary facility capable of and willing to treat injured SJAS. Only the Designated Biologist is authorized to capture, handle, and relocate SJAS. Once the SJAS Mortality Reduction and Relocation Plan is approved in writing by CDFW, it shall be used for all SJAS mortality reduction activities for the duration of the ITP. Any proposed changes to the CDFW-approved SJAS Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed SJAS Mortality Reduction and Relocation Plan modifications.	ITP Condition # 6.25	Before commencing ground- or vegetation-disturbing activities	Permittee	
23	<u>SJAS Burrow Avoidance</u> . The Designated Biologist shall establish a no-disturbance buffer of 50 feet or greater around suspected or known to be occupied SJAS burrows within the Project Area. If the 50-foot no-disturbance buffer cannot be established, burrow excavation shall occur in accordance with Condition of Approval 6.27.	ITP Condition # 6.26	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
24	<u>SJAS Burrow Excavation</u> . Immediately following completion of TKR Relocation activities conducted to address Condition of Approval 6.22 and prior to commencing Covered Activities within the Project Area, the Designated Biologist, or an individual under the direct supervision of the Designated Biologist, shall fully excavate by hand any potential SJAS burrows present within the portion of the Project Area to be disturbed by Covered Activities. Any SJAS encountered during burrow excavation shall be allowed to escape out of harm's way to the adjacent natural habitat or relocated to the CDFW-approved release site identified in the SJAS Mortality Reduction and Relocation Plan (Condition of Approval 6.25) by the Designated Biologist. Any dormant, lactating/nursing female, or dependent juvenile Covered Species encountered shall be collected (with salvageable burrow contents) by the Designated Biologist and relocated (with salvaged burrow contents) to an artificial burrow installed at the CDFW-approved release site.	ITP Condition # 6.27	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee / Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
25	<p><b>SJKF Den Avoidance.</b> Permittee shall avoid destroying SJKF dens unless they are in an area of direct ground disturbance (e.g., excavation/trench area) or their location poses a risk of direct harm to SJKF individuals. Dens in areas of temporary disturbance shall remain intact and the Designated Biologist shall block the entrance by installing an object approved in advance in writing by CDFW to prevent SJKF from entering and utilizing the den during Covered Activities. The Designated Biologist shall remove the object immediately after Covered Activities are completed in the Project Area when the Designated Biologist has determined that potential resumed use of the den will not result in harm to SJKF. Permittee shall not destroy or modify dens that are beyond the direct footprint of ground disturbance to preempt their use and den buffer establishment. If a potential SJKF den (any subterranean hole, three inches or larger, for which no evidence is present to conclude that the den is being used or has been used by a SJKF) is discovered or a SJKF is found in an "atypical" den (e.g., a pipe or culvert), Permittee shall establish a minimum 50-foot no-disturbance buffer around the den. If a known den (one that shows evidence of current use or was used in the past) is discovered, Permittee shall establish a minimum no-disturbance buffer of at least 100 feet around the den. If a natal den (den in which SJKF young are reared, typically with two or more openings) is discovered, Permittee shall establish a no-disturbance buffer of at least 200 feet around the den. Natal dens with pups shall have a no-disturbance buffer of at least 500 feet. Permittee shall notify the United States Fish and Wildlife Service (USFWS) and CDFW's Regional Representative immediately via telephone and email if any SJKF-occupied atypical dens, known dens, or natal dens are discovered within or immediately adjacent to the Project Area. An established SJKF den no-disturbance buffer may be removed once the SJKF is no longer using the area.</p>	ITP Condition # 6.28	Before commencing ground- or vegetation-disturbing activities	Permittee / Designated Biologist	
26	<p><b>SJKF Den Excavation.</b> The Designated Biologist or individuals under direct supervision of the Designated Biologist shall excavate potential or known dens that exhibit signs of SJKF use or characteristics suggestive of SJKF dens (including dens in natural substrate and in/under man-made structures) that cannot be avoided as per Condition of Approval 6.28 only after the Designated Biologist has determined that SJKF is not currently present after two (2) consecutive nights of monitoring with tracking medium and infrared camera. Potential SJKF dens without any signs of SJKF use or characteristics suggesting it is a SJKF den may be excavated under the direct supervision of the Designated Biologist without advance tracking or camera monitoring. Natal dens shall not be excavated until the pups and adults have vacated the den and then only after concurrence from the USFWS and CDFW. If the excavation process reveals evidence of current use by SJKF, then den excavation shall cease immediately and tracking or camera monitoring as described above shall be conducted/resumed. Excavation of the den shall only resume when, in the judgment of the Designated Biologist, the SJKF has escaped from the partially excavated den. SJKF dens shall be carefully excavated until it is clear no individuals of SJKF are inside. Dens to be destroyed shall be fully excavated, filled with dirt and compacted to ensure that SJKF cannot reenter or use the den during the period that Covered Activities would occur in the Project Area. If an individual SJKF does not vacate a den within the Project Area within a reasonable timeframe, Permittee shall consult with CDFW and the USFWS to obtain written guidance from both agencies prior to proceeding with den destruction.</p>	ITP Condition # 6.29	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
27	<u>Habitat Management Land Acquisition</u> . Based on previous captures and observations of the Covered Species and the number of small mammal burrows and dens currently documented within the Project Area and vicinity, CDFW has determined that permanent protection and perpetual management of compensatory habitat is necessary and required pursuant to CESA to fully mitigate Project-related impacts of the taking on the Covered Species that will result with implementation of the Covered Activities. This determination is based on factors including an assessment of the importance of the habitat in the Project Area, the extent to which the Covered Activities will impact the Covered Species and habitat, and CDFW's estimate of the acreage required to provide for adequate compensation.  To meet this requirement, the Permittee shall purchase 1.7 Covered Species credits from a CDFW-approved conservation bank. The Permittee shall use existing Covered Species credits from its balance of 2.056 conservation credits from the Coles Levee Ecosystem Preserve (CLEP) and purchase conservation credits from the Kern Water Bank Authority (KWBA) (Condition of Approval 7.1).	ITP Condition # 7	Before commencing ground- or vegetation-disturbing activities	Permittee	
28	<u>Covered Species Credits</u> . Prior to initiating Covered Activities, the Permittee shall: (1) assign 0.7 acres of Covered Species credits from CLEP; (2) provide CDFW with a copy of the mitigation or conservation credit certificate issued by CLEP and a credit ledger or similar document from CLEP verifying credits have been assigned to this Project; (3) purchase one (1) conservation credit from the KWBA; and (4) provide CDFW with a copy of the conservation credit certificate issued by KWBA and a credit ledger or similar document from KWBA verifying credits have been assigned to this Project. Copies of the credit certificate/assignment ledger shall be kept at the Project Area while conducting Covered Activities.	ITP Condition # 7.1	Before commencing ground- or vegetation-disturbing activities	Permittee	
<b>DURING CONSTRUCTION</b>					
29	<u>Designated Biologist(s)/Designated Monitor(s) Authority</u> . To ensure compliance with the Conditions of Approval of the ITP, the Designated Biologist(s)/Designated Monitor(s) 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(s)/Designated Monitor(s) in the performance of his/her duties. If the Designated Biologist(s)/Designated Monitor(s) are unable to comply with the ITP, then the Designated Biologist(s)/Designated Monitor(s) 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(s)/Designated Monitor(s) 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 # 4.3	Entire Project	Permittee/ Designated Biologist	
30	<u>Construction Monitoring Documentation</u> . The Designated Biologist(s) and Biological Monitor(s) shall maintain construction-monitoring documentation on-site in either hard copy or digital format 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 # 4.5	Entire Project	Designated Biologist	
31	<u>Erosion Control Materials</u> . Permittee shall prohibit use of erosion control materials potentially harmful to Covered Species and other species, such as monofilament netting (erosion control matting) or similar material, in potential Covered Species' habitat.	ITP Condition # 4.8	Entire Project	Permittee	
32	<u>Dogs</u> . Permittee shall prohibit domestic dogs from the Project Area and site access routes during Covered Activities, except those in the possession of authorized security personnel or local, State, or federal law enforcement officials.	ITP Condition # 4.9	Entire Project	Permittee	

	<b>Mitigation Measure</b>	<b>Source</b>	<b>Implementation Schedule</b>	<b>Responsible Party</b>	<b>Status / Date / Initials</b>
33	<u>Wildfire Avoidance.</u> Permittee or Permittee's contractors shall minimize the potential for human-caused wildfires by carrying water or fire extinguishers and shovels in all Project-related vehicles and equipment. The use of shields, protective mats, or use of other fire preventative methods shall be used during grinding and welding to minimize the potential for fire. Personnel shall be trained regarding the fire hazard for wildlife as part of the worker education program described in Condition of Approval 4.4.	ITP Condition # 4.10	Entire Project	Permittee	
34	<u>Project Access.</u> Project-related personnel shall access the Project Area using existing routes 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 # 4.13	Entire Project	Permittee	
35	<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 4.13 of the ITP.	ITP Condition # 4.14	Entire Project	Permittee	
36	<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 # 4.15	Entire Project	Permittee	
37	<u>CDFW Access.</u> Permittee shall provide CDFW staff with reasonable access to the Project and mitigation lands under Permittee control and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in the ITP.	ITP Condition # 4.16	Entire Project	Permittee	
38	<u>Rodenticide Use.</u> Permittee shall prohibit the use of rodenticides in the Project Area.	ITP Condition # 4.18	Entire Project	Permittee	
39	<u>Notification of Non-compliance.</u> The Designated Representative or Designated Biologist 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 or Designated Biologist 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 # 5.2	Entire Project	Permittee / Designated Biologist	

	<b>Mitigation Measure</b>	<b>Source</b>	<b>Implementation Schedule</b>	<b>Responsible Party</b>	<b>Status / Date / Initials</b>
40	<p><u>Compliance Monitoring.</u> The Designated Biologist shall be onsite daily for the duration of the day when Covered Activities occur. The Designated Biologist shall conduct compliance inspections a minimum of weekly during any periods of inactivity after clearing, grubbing, grading, and exclusion fencing installation are completed. The Designated Biologist shall conduct compliance inspections to:</p> <ol style="list-style-type: none"> <li>(1) minimize incidental take of the Covered Species;</li> <li>(2) prevent unlawful take of species;</li> <li>(3) check for compliance with all measures of the ITP;</li> <li>(4) check all exclusion zones; and</li> <li>(5) ensure that signs, stakes, and fencing are intact, and that Covered Activities are only occurring in the Project Area.</li> </ol> <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 # 5.4	Entire Project	Permittee / Designated Biologist	
41	<p><u>Monthly Compliance Report.</u> The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in Conditions of Approval 5.4 and 5.5 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 and the education program signed acknowledgement forms as described in Condition of Approval 4.4. Monthly Compliance Reports shall also include an accounting of the number of acres that have been permanently and temporarily disturbed by the Project, both for the prior month, and the total since ITP issuance, if applicable; the number of acres of habitat disturbance anticipated to occur in the Project Area during the coming month, if applicable; a summary of all pre activity surveys and compliance monitoring conducted during the previous month; and the activities authorized under the Covered Activities which occurred during the previous month. Monthly Compliance Reports shall be submitted via e-mail to CDFW's Regional Representative, CDFW's Regional Office, and Headquarters CESA Program no later than the 5th of each month following the first month after Covered Activities have commenced. At the time of the ITP's approval, the CDFW Regional Representative is Sarah Bahm (Sarah.Bahm@wildlife.ca.gov), the CDFW Regional Office e-mail is R4CESA@wildlife.ca.gov and Headquarters CESA Program e-mail 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.</p>	ITP Condition # 5.6	Entire Project	Permittee	
42	<p><u>CNDDDB Observations.</u> The Designated Biologist shall submit all observations of Covered Species to CDFW's California Natural Diversity Database (CNDDDB) within 15 calendar days of the observation and the Designated Biologist shall include copies of the submitted forms with the next Monthly Compliance Report.</p>	ITP Condition # 5.7	Entire Project	Designated Biologist	
43	<p><u>Notification of Take or Injury.</u> Permittee shall immediately notify the Designated Biologist if a Covered Species is taken or injured by a Project-related activity, or if a Covered Species is otherwise found dead or injured within the vicinity of the Project. The Designated Biologist or Designated Representative shall provide initial notification to CDFW by calling the Regional Office at (559) 243-4005 and by e mail to the CDFW Regional Representative. 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. The report shall include the date and time of the finding or incident, location of the animal or carcass, and if possible provide a photograph, explanation as to cause of take or injury, and any other pertinent information.</p>	ITP Condition # 5.9	Entire Project	Permittee / Designated Biologist	



	<b>Mitigation Measure</b>	<b>Source</b>	<b>Implementation Schedule</b>	<b>Responsible Party</b>	<b>Status / Date / Initials</b>
44	<u>Designated Biologist On Site.</u> The Designated Biologist shall be on site for the duration of the day during all activities that may result in the take of Covered Species.	ITP Condition # 6.1	Entire Project	Designated Biologist	
45	<u>Work Hours.</u> Permittee shall confine all surface- or vegetation-disturbing activities to daylight hours (sunrise to sunset). Permittee shall ensure that all vehicle traffic necessary during nighttime hours shall be conducted with extra caution to minimize impacts to nocturnal species. Nightwork may only be permitted with written authorization from CDFW (email will suffice).	ITP Condition # 6.2	Entire Project	Permittee	
46	<u>Lighting.</u> Permittee shall not use temporary, fixed, exterior lighting, including motion-triggered security lighting, that casts light on Covered Species habitat beyond the footprint of the Project Area between sunset and sunrise unless authorized in writing from CDFW. Temporary, exterior, fixed lighting at the Project Area shall be turned on only when people are present. Permittee shall not install permanent lighting at the Project Area.	ITP Condition # 6.3	Entire Project	Permittee	
47	<u>Equipment Fueling.</u> Permittee shall ensure that all equipment fueling and equipment maintenance occur at least 100 feet from Covered Species burrows, unless approved in advance in writing by CDFW. Permittee shall ensure that sufficient spill containment and cleanup equipment shall be present at all fueling locations.	ITP Condition # 6.5	Entire Project	Permittee	
48	<u>Vehicle Parking.</u> Permittee shall not allow vehicles to park on top of Covered Species burrows and dens, except within designated staging areas for which burrows and dens have been excavated per Conditions of Approval 6.24, 6.27, and 6.29. Vehicles left overnight shall be located at least 50 feet from all Covered Species burrows and dens.	ITP Condition # 6.6	Entire Project	Permittee	
49	<u>Vehicle and Equipment Inspection.</u> Workers shall inspect for Covered Species under vehicles and equipment every time 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 shall move TKR and/or SJAS out of harm's way outside of the Project Area and in compliance with the approved TKR Mortality Reduction and Relocation Plan and/or SJAS Mortality Reduction and Relocation Plan required in Conditions of Approval 6.20 and 6.25, respectively.	ITP Condition # 6.7	Entire Project	Permittee	
50	<u>Stockpiling Materials.</u> Permittee shall stockpile all materials and equipment in a manner that discourages Covered Species' use. In all locations, bundled or loose materials shall not be placed directly on the ground. These materials shall be elevated to discourage use by Covered Species.	ITP Condition # 6.8	Entire Project	Permittee	
51	<u>Soil Stockpiles.</u> Permittee shall ensure that soil stockpiles are placed where soil will not pass into any other "Waters of the State," in accordance with Fish and Game Code Section 5650. Permittee shall protect stockpiles to prevent soil erosion.	ITP Condition # 6.9	Entire Project	Permittee	
52	<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 structure is subsequently moved, buried, or capped. If during inspection, a Covered Species is discovered inside a pipe, culvert, or similar structure, workers shall notify the Designated Biologist and wait for the Covered Species to move unimpeded to a safe location before moving and utilizing the structure. Alternatively, the Designated Biologist shall move the TKR and/or SJAS out of harm's way outside of the Project Area and in compliance with the approved TKR Mortality Reduction and Relocation Plan and/or SJAS Mortality Reduction and Relocation Plan required in Conditions of Approval 6.20 and 6.25, respectively.	ITP Condition # 6.10	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
53	<u>Excavation Inspection.</u> The Designated Biologist and/or Designated Monitor shall inspect all trenches, open holes, sumps, and other excavations within the Project Area at the beginning and end of each day for trapped animals. All trenches, holes, sumps, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope shall be covered when workers or equipment are not actively working in the excavation, which includes cessation of work overnight, or shall have an escape ramp of earth or a non-slip material with a less than 1:1 (45 degree) slope. To prevent inadvertent entrapment of the Covered Species, the Designated Biologist and/or Designated Monitor shall oversee the covering of all trenches, holes, sumps, or other excavations with sidewalls greater than 1:1 (45 degree) slope of any depth with barrier material (such as hardware cloth) at the close of each working day such that animals are unable to dig or squeeze under the barrier and become entrapped. The outer two feet of excavation cover shall conform to solid ground so that gaps do not occur between the cover and the ground and secured with soil staples or similar means to prevent gaps. Each morning, end of each day (including weekends and any other non-work days unless temporary exclusion fencing completely surrounds the Project Area), and immediately before trenches, holes, sumps, or other excavations are back filled, the Designated Biologist and/or Designated Monitor shall thoroughly inspect them for Covered Species. Designated Biologist and/or Designated Monitor shall also thoroughly inspect any trenches, holes, sumps, or other excavations that are covered long term at the beginning of each working day to ensure inadvertent entrapment has not occurred and shall make any necessary repairs to the cover. If any worker discovers a Covered Species has become trapped, Permittee shall cease all Covered Activities in the vicinity and notify the Designated Biologist immediately. Project workers and the Designated Biologist shall allow the Covered Species to escape unimpeded if possible before Covered Activities are allowed to continue. Alternatively, the Designated Biologist shall move TKR and/or SJAS out of harm's way outside of the Project Area and in compliance with the approved TKR Mortality Reduction and Relocation Plan and/or SJAS Mortality Reduction and Relocation Plan required in Conditions of Approval 6.20 and 6.25, respectively.	ITP Condition # 6.11	Entire Project	Designated Biologist	
54	<u>Pipes and other Structures Entrapment Prevention.</u> Permittee shall ensure that all pipes, hoses, conduit, culverts, or similar materials stockpiled or installed in the Project Area are capped or otherwise enclosed at the ends to prevent entry by Covered Species. Permittee shall not leave any permanent pipes, conduit, electrical cabinets, or similar materials or structures open where Covered Species may enter them and become trapped. The Designated Biologist and/or Designated Monitor shall thoroughly inspect all such materials for Covered Species before they are moved, buried, or capped. If a Covered Species is discovered inside such material, that section of material shall not be moved until the animal has escaped of its own accord. If a Covered Species inside such materials does not vacate of its own accord within a reasonable timeframe, CDFW shall be contacted and Permittee shall get written concurrence prior to proceeding with eviction of the Covered Species.	ITP Condition # 6.12	Entire Project	Permittee / Designated Biologist	
55	<u>Covered Species Observations.</u> All workers shall inform the Designated Biologist if the Covered Species is seen within or near the Project Area during implementation of any Covered Activity. All work in the vicinity of the Covered Species, which could harm the animal, shall cease until the Covered Species moves from the Project Area of its own accord or the Designated Biologist moves the TKR and/or SJAS out of harm's way outside of the Project Area and in compliance with the approved TKR Mortality Reduction and Relocation Plan and/or SJAS Mortality Reduction and Relocation Plan required in Conditions of Approval 6.20 and 6.25, respectively.	ITP Condition # 6.13	Entire Project	Permittee	
56	<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. 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 Condition of Approval 5.9. Notification shall include the name of the facility where the animal was taken.	ITP Condition # 6.19	Entire Project	Permittee / Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
<b>POST-CONSTRUCTION</b>					
57	<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 # 4.17	Post-construction	Permittee	
58	<u>Final Mitigation Report</u> . No later than 30 days after completion of all mitigation measures, Permittee shall provide CDFW with a Final Mitigation Report via e-mail as described in Condition of Approval 5.6. The Designated Biologist shall prepare the Final Mitigation Report which shall include, at a minimum: (1) a summary of all Monthly Compliance Reports and all ASRs; (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 # 5.8	Post-construction	Permittee	
59	CDFW accepts the Final Mitigation Report as complete.	ITP Condition # 5.8	Post-construction	CDFW	

## Attachment 2

**\*\*\* Please Note: While use of this form is not mandatory, CDFW strongly recommends completing this form as it will ensure the receipt of adequate information and expedite CDFW review of biologist's qualifications. \*\*\***

**Name of Biologist & Contact Information**

**Education:** (include year graduated)

**Training/Workshops:** (be prepared to provide copies of certificates upon request; these should be related to the Covered Species (or similar species) in the Incidental Take Permit)

**Certifications:** (please provide any copies of a CDFW Scientific Collecting Permit, MOU, or USFWS 10(a)(1)(A) permit; these should be related to the Covered Species (or similar species) in the Incidental Take Permit)

**Species Name #1: (Example: San Joaquin Antelope Squirrel)**

Project Name #1: (list the information below for all projects (separately) where biologist worked with this species; projects may be listed more than once under each separate species and please only include projects on the resume that demonstrate experience with the Covered Species in the ITP)

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Survey/Trapping Hours:

Estimated Monitoring Hours:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows excavated:

Project Name #2:

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Survey/Trapping Hours:

Estimated Monitoring Hours:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows excavated:

Project Name #3: ...

**Species Name #2: (Example: Tipton Kangaroo Rat)**

Project Name #1: (list the information below for all projects (separately) where the biologist worked with this species)

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Trapping Hours:

Estimated Monitoring Hours:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows excavated:

Project Name #2:

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Trapping Hours:

Estimated Monitoring Hours:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows excavated:

Project Name #3: ...

**Species Name #3: (Example: San Joaquin Kit Fox)**

Project Name #1: (list the information below for all projects (separately) where the biologist worked with this species)

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Survey Hours:

Estimated Monitoring Hours:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles (if applicable)

Dens observed (list all potential, known, and/or natal):

Dens excavated (list all potential, known, and/or natal):

Project Name #2:

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Survey Hours:

Estimated Monitoring Hours:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles (if applicable)

Dens observed (list all potential, known, and/or natal):

Dens excavated (list all potential, known, and/or natal):

Project Name #3: ...

**Species Name #4: (Example: Other Similar Species only. Examples - other kangaroo rat species/other ground squirrel species/other kit fox species)**

Project Name #1: (list the information below for all projects (separately) where the biologist worked with this species)

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Trapping Hours:

Estimated Monitoring Hours:

Precincts/Burrows Observed:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows Excavated:

Project Name #2:

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Trapping Hours:

Estimated Monitoring Hours:

Precincts/Burrows Observed:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows Excavated:

Project Name #3: ...

Include any other relevant information to the Covered Species and implementation of Conditions of Approval in the ITP