



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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



November 21, 2023

Terry Marshall
Vulcan Materials Company
11599 Old Friant Road
Fresno, California 93730
marshallt@vmcmail.com

**Subject: Incidental Take Permit Amendment No. 3 to the Austin Quarry Project
(2081-2016-051-04)**

Dear Terry Marshall:

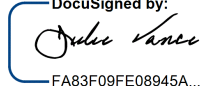
Enclosed you will find an electronic copy of Amendment No. 3 for the incidental take permit for the above referenced Project, which has been digitally signed by the California Department of Fish and Wildlife (CDFW). Please read the amendment carefully, sign the acknowledgement, and return the original **no later than 30 days from CDFW signature**, and prior to initiation of ground-disturbing activities. You may return a hard copy of the amendment 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 amendment with digital signature to 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 amendment 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 and amendments must be maintained at the project work site and made available for inspection by CDFW staff when requested.

The amendment will not take effect until the signed acknowledgement is received by CDFW. If you wish to discuss these instructions or have questions regarding the amendment, please contact Sarah Bahm, Senior Environmental Scientist (Specialist), at Sarah.Bahm@wildlife.ca.gov.

Sincerely,
DocuSigned by:

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



**AMENDMENT NO. 3
(A Major Amendment)**

California Endangered Species Act

Incidental Take Permit No. 2081-2016-051-04

CalMat Company dba Vulcan Materials Company, West Region
Austin Quarry Project in Madera County

INTRODUCTION

On September 25, 2018, the California Department of Fish and Wildlife (CDFW) issued Incidental Take Permit No. 2081-2016-051-04 (ITP) to CalMat Company dba Vulcan Materials Company, West Region (Permittee), authorizing take of California tiger salamander (*Ambystoma californiense*) (Covered Species) associated with and incidental to the Austin Quarry Project in Madera County, California (Project). The Project as described in the ITP as originally issued by CDFW included development and operation of a hard rock quarry over approximately half of an approximately 672-acre Project site.

On February 8, 2020, CDFW issued Amendment No. 1 which updated the Project Location and Project Description to include improvements to a 1.51-mile-long segment of the Caltrans State Route (SR) 145 right-of-way where it adjoined the original approximately 672-acre Austin Quarry Project Site to the north and where it extended east beyond the original Project Site to its intersection with SR 41. The Project Description was updated to include roadway and shoulder backing widening, replacement of three culverts and extension of a fourth culvert, and installation of temporary and permanent signage. These changes increased the permanent and temporary impacts of the Project. Amendment No. 1 therefore also increased the amount of Habitat Management land required to compensate for the increase in impacts to the Covered Species and added the option to purchase Covered Species credits from a CDFW-approved conservation bank.

On February 23, 2022, CDFW issued Amendment No. 2 which clarified the Project Location, updated the Project Description, updated the Impacts of the Taking on the Covered Species, updated Conditions of Approval 6.9, 6.10, 7.5, 8.1, and 9 for consistency with the updated Project Description, clarified language in Conditions of Approval 8.4, 8.10, and 8.11 related to Covered Species Exclusion Fencing, Rain Forecast, and Night Work requirements, respectively, and updated the ITP's attachments to reflect updates to the Project Location and an increase of acreage to the Project Area related to Amendment No. 1. CDFW determined these changes were necessary to ensure that the Conditions of Approval are implemented as intended to ensure impacts to the Covered Species as a result of Covered Activities are minimized

and fully mitigated, as required by Fish and Game Code section 2081(b)(2). The resulting impacts to the Covered Species remained the same with Amendment No. 2.

In issuing the ITP, Amendment No. 1 and Amendment No. 2 (collectively, the ITP, as amended), CDFW found, among other things, that Permittee's compliance with the Conditions of Approval of the ITP would fully mitigate Project impacts of the taking on the Covered Species, and that issuance of the ITP would not jeopardize the continued existence of the Covered Species.

On July 5, 2022, CDFW received a request from the Permittee for a major amendment to the ITP, as amended, and the corresponding fee payment. The request included updating the name and contact information for the Principal Officer and Contact Person, extending the deadline in which to complete the purchase of Covered Species credits from a CDFW-approved conservation bank to allow the proposed Fenston Mitigation Bank to be finalized, and revising Condition of Approval 8.11 to allow Covered Activities to occur at any time in Work Areas where initial ground disturbance and Pre-Activity Clearance Surveys have been completed, small mammal burrows have been excavated, and exclusion fencing has been installed, but where ground disturbance has not been completed.

The request also includes modifications to the Project Description to include:

- 1) installation of a 7-acre 2,800-kilowatt solar facility, associated infrastructure, road, and overhead electrical lines within a 10-acre acre in the southern portion of Phase 4,
- 2) expansion of the size of the Phase 1 area eastward into the Phase 2 area by six acres, and
- 3) installation of a new haul road along the eastern border of Phase 3 between the expanded Phase 1 area and Phase 6 area.

The solar facility will generate electricity to be used completely within the Project Area. Within the 3 acres surrounding the solar facility there will be security perimeter fence, a double swing gate leading to the facility, and an access road. The expansion of the Phase 1 area is needed to facilitate access from Phase 1 to Phase 6, to more efficiently mine Phase 1, and to prepare for the future mining of Phase 2. The new haul road is necessary to support operational activities, including mining in Phase 1. The haul road will be installed along the eastern border of Phase 3, entirely within the boundaries of Phase 3, and thus the acreage of Phase 3 will not change. Mining in Phase 3 will occur as originally anticipated in 2046; however, initial ground disturbance within Phase 3 will occur with installation of the new haul road as soon as the amendment is issued.

Supplemental to the Application for Major Amendment, the Permittee provided an Addendum to the California Environmental Quality Act (CEQA) Final Environmental Impact Report (FEIR) wherein the Lead Agency, Madera County Planning Department, considered the installation, operations, maintenance, and decommissioning of the solar facility and mining phase adjustments. Madera County Planning Department concluded

that the proposed Solar Facility and Phase Adjustment would not result in new significant environmental impacts and would not result in a substantial increase in the severity of impacts previously identified in the 2016 FEIR and approved the modifications on May 22, 2023. Decommissioning activities are not included in this Amendment No. 3 as a Covered Activity because the precise methods for decommissioning are currently unknown. Once decommissioning activities are known and prior to commencement, Permittee will need to request an amendment to add these specific activities.

This Major Amendment No. 3 (Amendment No. 3) makes the following changes to the ITP, as amended:

First, Amendment No. 3 updates the Permittee's Principal Officer, Contact Person, and Mailing Address on the ITP, as amended.

Second, Amendment No. 3 modifies the boundary of the Phase 1 mine area and expands the size by 6 acres eastward into the current Phase 2 mine area.

Third, Amendment No. 3 adds a new haul road along the eastern interior border of the Phase 3 mine area that will connect the revised Phase 1 mine area with the Phase 6 mine area.

Fourth, Amendment No. 3 adds the installation of a 7-acre 2,800-kilowatt solar facility, associated infrastructure, security perimeter fence, road, and overhead electrical lines within a 10-acre portion of the 59-acre Phase 4 mine area.

Fifth, Amendment No. 3 adds installation, operations, and maintenance of a solar facility and associated infrastructure to the Covered Activities that are expected to result in incidental take of individuals of the Covered Species.

Sixth, Amendment No. 3 references the Addendum to the FEIR prepared and approved by Madera County Planning Department as the lead agency under the California Environmental Quality Act in May 2023.

Seventh, Amendment No. 3 revises Condition of Approval 8.11 to allow Covered Activities to occur during predicted rainfall or rainfall events under certain circumstances, relative to other Conditions of Approval included in the ITP, as amended.

Eighth, Amendment No. 3 extends the deadline in which to complete the purchase of Covered Species Credits from a CDFW-approved conservation bank from within 18 months after security is provided by an additional 48 months to allow for the Fenston Mitigation Bank to be approved by CDFW.

Ninth, Amendment No. 3 revises and accordingly replaces Figure 3 of the ITP with Figure 3a to depict the adjusted mine Phase areas, the new haul road location, and solar facility within the Project Site.

AMENDMENT

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

1. The Principal Officer, Contact Person, and Mailing Address on page 1 of the ITP, as amended, shall be further amended as follows:

Principal Officer: ~~Kevin Torell, Area Manger~~ ***Terry Marshall, Area Permitting Manager***

Contact Person: ~~Kevin Torell, 510-340-8215~~ ***Terry Mashall, (559) 770-7793***

Mailing Address: ~~4101 Dublin Boulevard, PMB#144, Suite F 40450 East Highway 145 Dublin, California 94568~~ ***Fresno, California 93636***

2. The fourth paragraph and Table 1 of the section entitled "Project Description" on page 3 of the ITP, as amended, the section entitled shall be further amended to read as follows:

The approximately 257-acre aggregate mine will be developed over six (6) phases (Figure 3a). Project implementation will commence in 2018 with concurrent development of Phase 1; a retention and recharge basin, conveyance pipeline, and overburden stockpiling area within the boundary of Phase 6; the processing plant/operations/access road area; installation of visual/safety barrier berms using the topsoil and overburden from Phase 1; and the piped diversion of a natural swale around the aggregate mine. Quarrying of Phase 1, which will not exceed 42 acres, will begin in 2018 and continue over approximately 10 years. Phases 2 through 6 of the mine will be quarried in accordance with the schedule set forth in Table 1, below. ***A new haul road will be installed along the eastern border of Phase 3 to facilitate access from Phase 1 to Phase 6, and a 2,800-kilowatt solar facility, associated infrastructure, security perimeter fence, road, and overhead electrical lines will be installed within Phase 4 before these Phases are developed as outlined below.***

Table 1 Mine Phasing Schedule		
Mine Phase	Phase Acreage* (ac)	Phase Development (yr)
2	5246 acres ¹	2028
3	26 acres	2046
4	59 acres ²	2055
5	15 acres	2072
6	63 acres	2083

* Acreages are approximate

¹The same acreage will be quarried, but the boundary between Phases 1 and 2 will shift by approximately 6 acres to more efficiently mine Phase 1 and prepare for future quarrying in Phase 2.

²The Phase 4 acreage will remain the same; the solar facility and infrastructure will be removed prior to quarrying.

3. The following paragraphs shall be added after the tenth paragraph of the section entitled "Project Description" on page 5 of the ITP, as amended, to read as follows:

A 2,800 kW solar facility will be constructed within the boundaries of the southern portion of Phase 4 and will include: photovoltaic (PV) arrays; vibratory driven steel piles to affix the racking to the ground; single-axis tracker racking configurations; rack-mounted PV string inverters; a step-up transformer, a PV switchboard; a riser pole with disconnect; a recloser pole; a 572-kW battery system; a 20-foot wide compacted native internal access path with sand surfacing; a 7-foot barbed wire-topped, chain-link security fence surrounding the solar facility to comply with electrical codes; a 20-foot access road; and double swing gate leading into the solar facility through Phase 6 (Figure 3a). The access road will be located within the southeastern portion of Phase 6 to allow access to the southwest side of the solar facility (Figure 1).

A 6-foot by 12-foot concrete pad will be constructed for the inverters, battery, and transformer. There will be an approximately 200-foot-long trench within the solar facility for electrical lines from the DC combiner boxes to the inverter pad. An approximately 2,000-foot-long overhead gen-tie circuit will connect the solar facility to the overhead distribution circuit within the processing plant which will connect to a directional power relay with radio signal for battery management control, a recloser, a PG&E service disconnect switch and pole meter located near the entrance of the Austin Quarry Property along SR 145.

The heavy equipment needed to construct the solar facility as well as the operations and maintenance (O&M) will be the same as for the development of the quarry described above. There will be no temporary or permanent artificial lighting installed during construction or operation of the solar facility. If maintenance requires de-energizing the solar facility during daylight hours, the plant will operate with electrical power from the existing grid as it does now. The solar facility will operate for 25 years with decommissioning anticipated to occur in 2049, prior to mining activities commencing within Phase 4, and will use some of the same equipment.

The solar facility will operate seven days a week during daylight hours. Periodic monitoring and maintenance activities, planned and unplanned, will be required and will occur during daylight hours. Operations of the solar facility will focus on the monitoring of the overall system status, performance, and diagnostics, such as meter reading, production reporting, and updating of O&M manuals.

Planned and unplanned preventative and corrective maintenance will occur as needed during daytime hours throughout the life of the solar facility. Planned and unplanned maintenance activities could include ground- or vegetation-disturbing activities. Planned maintenance activities within the solar facility will include routine inspection, repair, restoration, repair, replacement, and modifications on all solar facility equipment, facilities, and associated infrastructure.

Unplanned maintenance activities on all solar facility equipment and facilities may be necessary due to unexpected damage to, or failure of, equipment or facilities. Forced outages are characterized by an unexpected failure of solar facility equipment or facilities, which requires immediate inspection, repair, restoration, replacement and/or modification. Forced outage conditions are characterized as more urgent or emergency-type work where potential for harm to persons, property, or the environment exists and requires expedited action to remedy the situation to avoid such risks. Forced outage activities could include ground- or vegetation-disturbing activities.

Inspections, testing, maintenance, and repairs will be performed on a continual basis, with most activities occurring once or twice per year for every tracker and major piece of equipment. Staff will use lightweight vehicles and all-terrain vehicles for traversing the site along access roads.

The Project will require occasional replacement of solar panels, equipment and associated infrastructure. Support-facility maintenance or repair will

occur on an as-needed basis should deterioration or damage occur or retrofitting be necessary. The access roads could require occasional re-grading, leveling, or filling. Supporting facilities and structures such as the security system, battery storage area, electrical transmission facilities, including the gen-tie line, and security perimeter fencing may require corrective maintenance or repair. Other O&M activities include erosion control maintenance and vegetation maintenance (i.e., weed control including herbicide spraying or mechanical removal).

4. The first paragraph of the section entitled "Impacts of the Taking on Covered Species" on page 5 of the ITP, as amended, shall be further amended to read as follows:

The Project activities which are expected to result in incidental take of individuals of the Covered Species are collectively referred to as the **Covered Activities**, and, as described above, include: blasting; operation of heavy equipment to accomplish grading, cut-and-fill, scraping, contouring, vegetation-clearing, grubbing, excavating, trenching, stockpiling, backfilling, compacting, asphalt removal and paving, and drilling in association with the development and mining activities; improvements to SR 145; **and installation, operations, and maintenance of a solar facility and associated infrastructure** within the Project Area; as well as pre-disturbance excavation of small mammal burrows, salvage, and relocation efforts required by this ITP. **Solar facility decommissioning activities are not a Covered Activity of this ITP.**

5. Condition of Approval 2 California Environmental Quality Act Compliance on page 5 of the ITP, as amended, shall be further amended to read as follows:

Permittee shall implement and adhere to the mitigation measures related to the Covered Species in both **the following**: the Biological Resources section of the Environmental Impact Report (**EIR**) (SCH No.: 2010071036) certified by Madera County Planning Department on 12 September 2016 as lead agency for the Project pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.); ~~and the Addendum to the Environmental Impact Report~~ **EIR** approved by the California Department of Transportation on 13 January 2020; **and the Addendum to the FEIR approved by the Madera County Planning Department on 22 May 2023.**

6. Condition of Approval 8.11 Night Work on page 15 of the ITP, as amended, and Mitigation Measure No. 51 in the ITP's Mitigation Monitoring and Reporting Program (MMRP), shall be further amended to read as follows:

Permittee shall strictly prohibit any work that may occur beginning 30 minutes before sunset and ending 30 minutes after sunrise during rainfall events and/or when a 50 percent or greater chance of rainfall is predicted within 72 hours of Covered Activities until no further rain is forecast. **Covered Activities may continue at night during rainfall events and/or when a 50 percent or greater chance of rain is forecast within Work Areas where initial ground disturbance has been completed and has yet to be completed only if:**

1) Pre-Activity Clearance Surveys have been conducted; 2) small mammal burrows have been excavated; and 3) the Work Area is completely enclosed with Covered Species Exclusion Fencing as described in the Project's approved fencing plan, has been properly maintained, and is in good repair, in accordance with Conditions of Approval 8.1, 8.3, and 8.4 above. In Work Areas where these conditions have been satisfied, a Designated Biologist shall survey the applicable Work Area footprint before ground disturbance begins each night that rain is forecast or actively falling to capture and relocate any Covered Species that are discovered during the surveys.

7. The third paragraph under Condition of Approval 9 Habitat Management Land Acquisition on page 18 of the ITP, as amended, and the third paragraph of Mitigation Measure No. 19 in the ITP's Mitigation Monitoring and Reporting Program (MMRP), shall be further amended to read as follows:

Permanent protection and funding for perpetual management of all 765 acres of the Fenston Property will be completed before starting any Covered Activities or within 18 months of the effective date of this ITP if Security is provided pursuant to Condition of Approval 10, below. The purchase of Covered Species credits from a CDFW-approved conservation bank will be completed before starting any Covered Activities associated with the SR 145 improvement work, or within ~~48~~ **66** months after Security is provided, pursuant to Condition of Approval 10, below.

8. The last paragraph under Condition of Approval 10 Performance Security on pages 25 and 26 of the ITP, as amended, and the last paragraph of Mitigation Measure No. 34 in the ITP's Mitigation Monitoring and Reporting Program (MMRP), shall be further amended to read as follows:

Even if Security is provided, the Permittee must complete the required acquisition, protection and transfer of all HM lands, ~~provide a bill of sale for the purchase of conservation bank credits,~~ and record any required conservation easements no later than 18 months from the effective date of this ITP, or in accordance with timelines set forth by CDFW at the time the Security is accepted. **Permittee shall provide a copy of the Bill of Sale and Payment**

Receipt for the purchase of upland Covered Species credits at a CDFW-approved conservation bank within 66 months of the timeline set forth by CDFW at the time the Security is accepted. CDFW may require the Permittee to provide additional HM lands, additional Covered Species credits, and/or additional funding to ensure the impacts of the taking are minimized and fully mitigated, as required by law, if the Permittee does not complete these requirements within the specified timeframe.

9. The section entitled “Attachments” on page 29 of the ITP, as amended, shall be further amended to read as follows:

FIGURE 1	Project Vicinity Map
FIGURE 2a	Project Site Map
FIGURE 2b	Project Area Map
FIGURE 3a	Revised Aggregate Mine Phases Map
FIGURE 4	CA Ground Squirrel Populations September 2016
FIGURE 5	Fenston Ranch Mineral Reservation Map
ATTACHMENT 1	Mitigation Monitoring and Reporting Program
ATTACHMENT 2	Declining Amphibian Populations Task Force Fieldwork Code of Practice
ATTACHMENT 3A, 3B	Proposed Lands for Acquisition Form; Habitat Management Lands Checklist
ATTACHMENT 4	Letter of Credit Form
ATTACHMENT 5	Mitigation Payment Transmittal Form

All terms and conditions of the ITP and MMRP that are not expressly amended herein remain in effect and must be implemented and adhered to by the Permittee.

FINDINGS

Issuance of this Amendment may increase the amount of take of the Covered Species compared to the Project as originally approved; however, by implementing the minimization measures and compensatory mitigation required by the ITP, as amended, it is not expected that this Amendment will increase Project impacts on these species (i.e., “impacts of taking” as used in Fish and Game Code Section 2081, subd. (b)(2)).

Discussion: Amendment No. 3 makes nine specific changes to the ITP, as amended: updates the Permittee’s Principal Officer, Contact Person, and Mailing Address; modifies the boundary of the Phase 1 mine area and expands the size by 6 acres into the current Phase 2 mine area; adds a new haul road along the eastern interior border of the Phase 3 mine area; adds the installation of a 7-acre 2,800-kilowatt solar facility, associated infrastructure, security perimeter fence, road, and overhead electrical lines within a 10-acre portion of the 59-acre Phase 4 mine area; adds installation, operations,

and maintenance of a solar facility and associated infrastructure to the Covered Activities; references the Addendum to the Final Environmental Impact Report prepared and approved by Madera County Planning Department; revises Condition of Approval 8.11 to allow Covered Activities to occur during predicted rainfall or rainfall events under certain circumstances, relative to other Conditions of Approval; extends the deadline in which to complete the purchase of Covered Species Credits from a CDFW-approved conservation bank; and updates the ITP's attachments to reflect updates to the adjusted mine Phase areas, the new haul road location, and solar facility within the Project Site. The resulting impacts to the Covered Species, however, including the permanent loss of 346.55 acres of upland refugia habitat and 3 acres of potential breeding habitat for the Covered Species, and temporary impacts to 6.91 acres of upland refugia habitat for the Covered Species, for a total of 356.46 acres of impacts to Covered Species habitat, will remain the same.

Issuance of this Amendment does not affect CDFW's previous determination that issuance of the ITP meets and is otherwise consistent with the permitting criteria set forth in Fish and Game Code section 2081, subdivisions (b) and (c).

Discussion: CDFW determined in September 2018, February 2021, and February 2022 that the Project, as approved, met the standards for issuance of an ITP, Amendment No. 1, and Amendment No. 2, respectively, under CESA. This determination included findings that, among other things, the impacts of the taking would be minimized and fully mitigated and that the Project would not jeopardize the continued existence of the Covered Species. Those findings are unchanged with respect to Amendment No. 3 because the Project and ITP, as amended: (1) will have no effect on the amount or severity of Project impacts on the Covered Species, as discussed above, and (2) does not alter the Permittee's continued adherence to and implementation of the avoidance and minimization measures set forth in the ITP's Conditions of Approval and MMRP will minimize and fully mitigate impacts of the taking on the Covered Species.

None of the factors that would trigger the need for subsequent or supplemental environmental analysis of the Project under Public Resources Code section 21166 or California Code of Regulations, title 14, sections 15162 and 15163, exist as a result of this Amendment.

Discussion: CDFW issued the ITP in September 2018, Amendment No. 1 in February 2021, and Amendment No. 2 in February 2022 as a responsible agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) after, among other things, considering the FEIR certified by Madera County as the lead agency for the Project, the Notice of Revalidation wherein the California Department of Transportation prepared and approved an Addendum to the original FEIR considering the updated Project Location and Project Description included in Amendment No. 1, and Madera County prepared and approved an Addendum to the FEIR considering the

updated Project Description included in Amendment No. 3. As explained in the findings below, CDFW finds for purposes of CESA that this Amendment No. 3 represents a major change in the Project as originally approved. However, for the reasons explained above, CDFW concludes Amendment No. 3 is not a change in the Project that has the potential to create a new significant effect not previously analyzed, a substantial change in the circumstances under which the Project is being undertaken requiring major revisions to previous CEQA documents, or new information of substantial importance. As a result, CDFW finds that no additional subsequent or supplemental environmental review is required by CEQA as part of CDFW's approval of Amendment No. 3.

CDFW finds that this Amendment is a Major Amendment, as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(5).

Discussion: Amendment No. 3 updates the Permittee's information, modifies the boundary of the Phase 1 mine area, adds a new haul road, adds the installation of a solar facility and associated infrastructure, adds actions necessary for a solar facility and associated infrastructure to the Covered Activities, references the Addendum to the FEIR prepared and approved by Madera County, revises Condition of Approval 8.11 to allow Covered Activities to occur at night during predicted rainfall or rainfall events under certain circumstances, extends the deadline in which to complete the purchase of Covered Species Credits from a CDFW-approved conservation bank, and updates the ITP's attachments to reflect revisions to the Project Description. Therefore, Amendment No. 3 will substantially modify the scope or nature of the permitted Project or activity, or significantly modify the minimization, mitigation, or monitoring measures in the ITP, as amended. CDFW has determined that the changes to the ITP, as amended, constitutes a Major Amendment as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(5).

The authorization provided by Amendment No. 3 is not valid until Permittee signs and dates the acknowledgement below, and returns one of the duplicate originals of Amendment No. 3 by registered first class mail to CDFW at:

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

Alternatively, the Permittee shall e-mail the digitally signed Amendment No. 3 to CESA@wildlife.ca.gov. Digital signatures shall comply with Government Code section 16.5. Digital signatures facilitated by CDFW will be automatically returned.

Attachment:

ATTACHMENT A3-1 Figure 3a Revised Aggregate Mine Phases Map

APPROVED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

on 11/21/2023

DocuSigned by:

 FA83F09FE08945A...
 Julie A. Vance
 Regional Manager
 Central Region

ACKNOWLEDGMENT

The undersigned: (1) warrants that they are acting as a duly authorized representative of the Permittee, (2) acknowledges receipt of the original ITP, Amendment No. 1, Amendment No. 2, and this Amendment No. 3, and (3) agrees on behalf of the Permittee to comply with all terms and conditions of the ITP, as amended.

By: Terry Marshall
59BDD3A2FBFA43D...

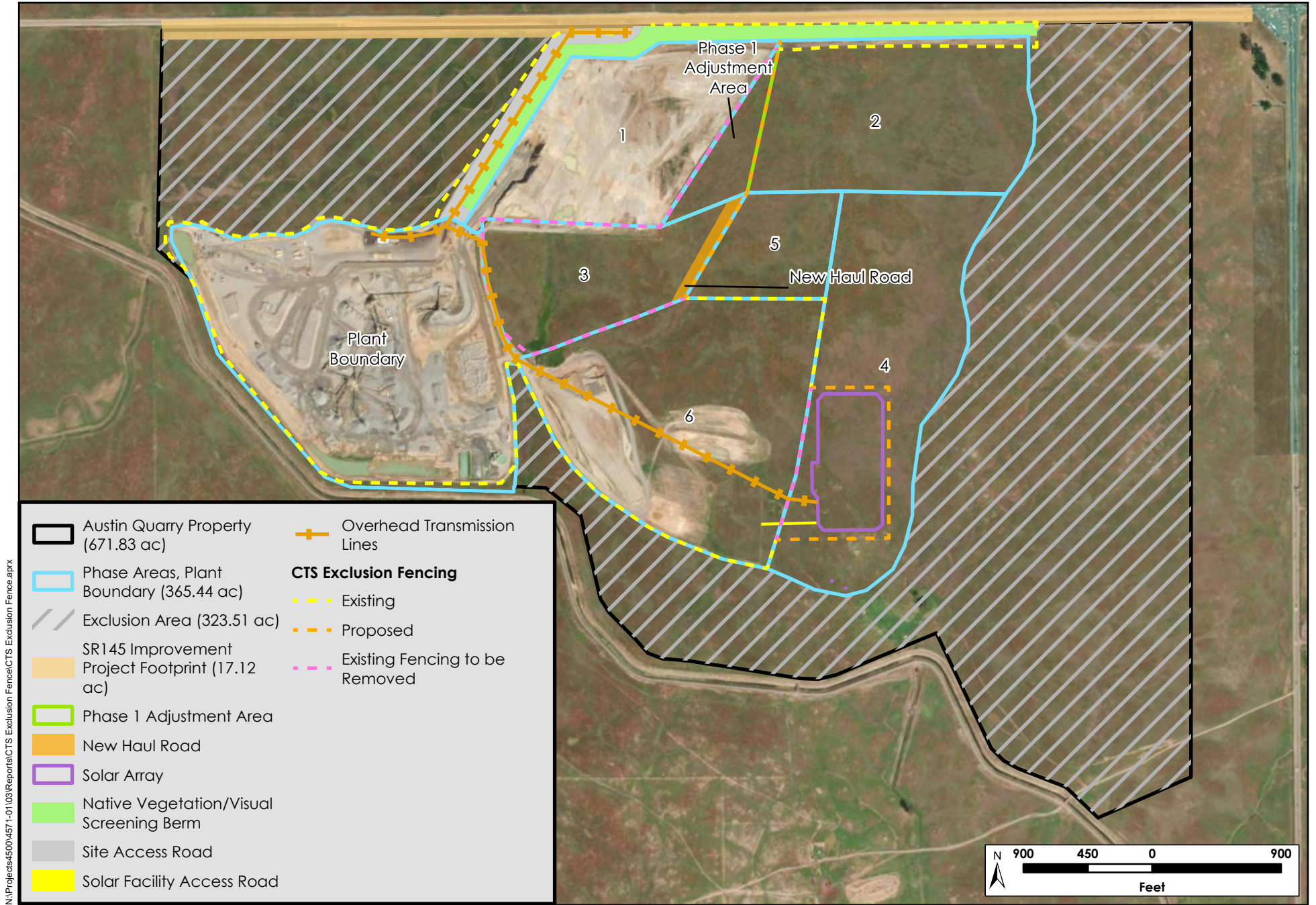
Date: 11/27/2023

Printed Name: Terry Marshall

Title: Area Permitting Manager

ATTACHMENT A3-1

Figure 3a Revised Aggregate Mine Phases Map



N:\Projects\4500\4571-01\03\Reports\CTS Exclusion Fence\CTS Exclusion Fence.aprx

Figure 3a. Revised Aggregate Mine Phases Map
CalMat Company dba Vulcan Materials Company, West Region
Austin Quarry Project