

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**  
CENTRAL REGION  
1234 EAST SHAW AVENUE  
FRESNO, CALIFORNIA 93710



AMENDMENT NO. 29  
(A Major Amendment)  
California Endangered Species Act  
Incidental Take Permit No. 2081-2015-024-04  
California High-Speed Train Project Fresno to Bakersfield Section Permitting Phase 1

## INTRODUCTION

On June 15, 2015, the California Department of Fish and Wildlife (CDFW) issued Incidental Take Permit No. 2081-2015-024-04 (ITP) to the California High-Speed Rail Authority (Authority or Permittee) authorizing take of California tiger salamander (*Ambystoma californiense*)(CTS), Swainson's hawk (*Buteo swainsoni*)(SWHA), Tipton kangaroo rat (*Dipodomys nitratooides nitratooides*)(TKR), San Joaquin antelope squirrel (*Ammospermophilus nelsoni*), and San Joaquin kit fox (*Vulpes macrotis mutica*)(SJKF) (collectively, the Covered Species) associated with and incidental to the Permitting Phase 1 of the Fresno to Bakersfield Section of the High-Speed Train (HST) Project (Project). The Project as described in the ITP originally issued by CDFW includes HST alignment beginning on the south side of the G Street and San Benito Street intersection, north of Highway 41, in the City of Fresno, Fresno County, California. From this intersection, the Fresno to Bakersfield HST alignment extends south either along or adjacent to the Burlington Northern Santa Fe Railway (BNSF) for approximately 99 miles before reaching the section endpoint, at the intersection of 7<sup>th</sup> Standard Road, and Santa Fe Way, within the city limits of Shafter, in Kern County, California.

The total length of the Project is 99 miles. The Project is the second of the nine California HST sections to be constructed; each section will function independently, but once joined together will create a statewide HST system. The HST will be electrically powered with steel-wheel-on-steel-rail technology and state-of-the-art safety, signaling, and automated train-control systems. The trains will be capable of operating at speeds of up to 220 miles per hour (mph) over a fully graded, separated, dedicated track alignment. The Project will be built using a design/build (D/B) approach, a method of construction by which one D/B contractor works under a single contract with the Permittee to provide design and construction services. The Project as originally permitted in the ITP included construction and installation of all Project components, including disturbance of up to 5,868.00 acres (hereafter, Construction Footprint). Construction may occur at any point along the Construction Footprint, and construction may occur at multiple locations simultaneously. The Project also includes operations,

maintenance, inspection activities within the Construction Footprint (O&M), and Mitigation Activities.

In an email dated June 24, 2016, the Permittee requested a revision of the Project Description to include an increase in the Construction Footprint by 102.58 acres to 5,970.58 acres to accommodate eight additional Roadway Modifications, and in a subsequent email dated July 25, 2016, the Permittee requested the addition of a third designation of approvable project biologists to carry out small mammal habitat assessment and trapping activities. On March 7, 2017, CDFW issued **Major Amendment No. 1** to the ITP incorporating these requested revisions along with corrections to the acreage for the impacts, changes to the required Habitat Management lands acreage, and clarifications to the reporting requirement language.

On July 5, 2018 and September 19, 2018, CDFW initiated, issued, and re-issued respectively, **Major Amendment No. 2** to the ITP incorporating a Baseline Map Book as Exhibit 6 and added references to the map book throughout the ITP; further revising the Tracking Suitable Habitat Feature Disturbances, Map Updating, and Reporting requirements; added a specific Covered Activity (pile driving) and a species-specific Take Avoidance Measure for that Covered Activity; adding the third category of Biological Monitor, Designated Small Mammal Trapper, to Condition of Approval 6.2; clarified the Construction Monitoring Notebook requirement; added Condition of Approval 7.13 requiring survey and reporting requirements in advance of initiating Covered Activities; revising Conditions of Approval 8.13.2, 8.14.1, 8.15.1, 8.16.1, 8.16.2, 8.16.3, 8.17.2; and adding Condition of Approval 8.15.6. There was no change to the Construction Footprint acreage.

In a letter dated June 25, 2018, the Permittee requested a revision of the ITP to change the Mitigation Site Construction Elements from the Fagundes Compensatory Mitigation Site to a new location, now recognized as Cottonwood Creek. Because the Permittee would no longer be conducting riparian and wetland restoration at the Fagundes Compensatory Mitigation Site, all references to riparian and wetland restoration at the Fagundes site was removed and replaced with the Cottonwood Creek mitigation site. Due to the varying conditions at the Cottonwood Creek site, some Construction Elements also changed with the changes in mitigation site location. Further, on September 25, 2018, the Permittee requested a 7-day extension provision be added for SJAS relocation. There was no change to the Construction Footprint acreage. On October 2, 2018, CDFW issued **Major Amendment No. 3** to the ITP incorporating these changes.

In an email dated October 4, 2018, the Permittee requested a revision of the ITP to extend the dry season work window beyond October 31<sup>st</sup> for ground-disturbing activities

at the Mitigation Site. There was no change to the Construction Footprint acreage. On November 15, 2018, CDFW reissued **Minor Amendment No. 4** to the ITP incorporating these changes.

In an email dated November 27, 2018, the Permittee requested a revision to the ITP to allow for SJAS relocation to occur prior to April 1 and to allow SJAS relocation to occur after November 15 on a case-by-case basis. There was no change to the Construction Footprint acreage. On November 29, 2018, CDFW issued **Major Amendment No. 5** to the ITP incorporating these changes.

In a letter dated September 10, 2018, the Permittee requested to revise the Project Description to allow for an increase in the Construction Footprint of 6.92 acres for a total of 5,977.50 acres to accommodate new Work Areas for the water pipeline irrigation casing installation and level 3 fiber optic line relocation. Additionally, CDFW initiated amending the Project Description to include installation of water pipeline irrigation casings, dry jack and bore, and horizontal directional drilling as Covered Activities as well as adding Condition of Approval 7.12. On January 17, 2019, CDFW issued **Major Amendment No. 6** to the ITP incorporating these changes.

In a letter dated October 19, 2018, the Permittee requested to revise the Project Description to increase the Construction Footprint by 2.01 acres to a total of 5,979.51 acres for road improvements to Wasco Avenue to function as an access road for agricultural operations north of Kimberlina Road in Kern County. Additionally, the Permittee requested a design change to the HST/Kimberlina Road location that will be contained within the current ITP Construction Footprint at that location. On February 1, 2019, CDFW issued **Major Amendment No. 7** to the ITP incorporating these changes.

In a letter dated August 22, 2018, the Permittee requested to revise the Project Description to accommodate advanced design changes requiring roadway modifications, utility relocations, access road alterations, and canal realignments along and adjacent to the HST alignment at South Avenue; two new locations in Fresno County at Conejo Avenue, and Peach Avenue; as well as changes for existing locations at Flint Avenue and Kent Avenue in Kings County; and Avenue 88 in Tulare County resulting in a net decrease of 1.96 acres changing the Construction Footprint to 5,977.55 acres. In a subsequent email dated January 25, 2019, the Permittee requested to include the use of jack and bore and horizontal directional drilling as Covered Activities throughout the entire Construction Footprint. The Permittee also requested Condition of Approval 7.12, the notification and submission of a Horizontal Directional Drilling and Dry Jack and Bore Level 3 Fiber Optic Line Relocation Plan, be revised to serve as a notification and plan for all horizontal directional drilling and jack and bore

activities occurring within the entire Construction Footprint. On February 13, 2019, CDFW issued **Major Amendment No. 8** to the ITP incorporating these changes.

In a letter dated December 6, 2018, the Permittee requested to revise the Project Description to add construction of an intrusion protection barrier (IPB) within specific limits of the HST alignment to mitigate the risk of potential derailed trains from the adjacent BNSF rail line entering the path of the HST and increase the Construction Footprint by 0.75 acre which brought the total acres to 5,978.30. The IPB construction specific limits occurred in various locations along the California HST route from the vicinity of State Route 43 and Whisler Road to the vicinity of Madera and Poplar Avenues near the City of Shafter in Kern County. IPB construction in this vicinity required re-siting of two wildlife crossing structures. In an email dated January 23, 2019, Permittee further requested modifying the approval process for siting and constructing wildlife crossings. On February 26, 2019, CDFW issued **Major Amendment No. 9** to the ITP incorporating these changes.

In a letter dated January 2, 2019, and a subsequent letter dated February 4, 2019, Permittee requested further revision to the ITP, as amended, to cover a 31.79-acre increase to the approved Project Construction Footprint and associated impacts to Covered Species to accommodate the “alternative technical concepts” (ATC) 11 and 13b (design variations). The changes were to employ “reverse stacking” over Garces Highway, Pond Road, and Peterson Road in Kern County; which means to place the railway over the surface roads instead of vice-versa; and a slight alignment revision to avoid a major agricultural water pumping facility known as the Semitropic Pump Station. In a letter dated February 12, 2019, Permittee requested amending the ITP to cover an 86.14-acre increase to the Project Construction Footprint to accommodate design variations including utility relocations, roadway modifications, temporary construction easements, and access roads at 23 locations. Altogether, this brought the Construction Footprint acreage total to 6,096.24. On March 28, 2019, CDFW issued **Major Amendment No. 10** to the ITP incorporating these changes.

In a letter dated March 11, 2019, the Permittee requested a 141.60-acre increase to the approved Project Construction Footprint and associated impacts to Covered Species to accommodate four segments of IPB between State Route 41 and approximately 1000 feet south of East American Avenue in Fresno County, and additional areas for construction access, fence and gate construction, utility relocations, and street and sidewalk modifications. In a letter dated March 12, 2019, the Permittee requested a 105.12-acre increase to the approved Project Construction Footprint and associated impacts to Covered Species to accommodate design variations at 20 locations, in Fresno County. The design variations include utility relocation and protection, roadway modifications, temporary construction easement for staging equipment and materials,

building demolition, additional earthwork, access roads, and/or waterway crossing structures. Altogether, this brought the Construction Footprint acreage total to 6,342.96. On April 25, 2019, CDFW issued **Major Amendment No. 11** to the ITP incorporating these changes.

In a letter dated January 8, 2019, Permittee requested that CDFW further amend the ITP, as amended, to cover increases in the Project Construction Footprint by 98.06 acres, for a total of 6,441.03 acres, to accommodate additional temporary access routes, staging areas, and utility relocation at several locations in Kern County referred to as "Wasco Utilities" and "North-South Utilities." Permittee provided supplemental information related to the requested activities dated January 29 and April 30, 2019. In a letter dated March 6, 2019, Permittee requested that CDFW further amend the ITP, as amended, to remove the required CDFW written approval of Pre-Construction Survey reports. On May 20, 2019, CDFW issued **Major Amendment No. 12** to the ITP incorporating these changes.

In a letter dated April 5, 2019, Permittee requested to increase the Construction Footprint by 19.36 acres to accommodate design changes and refinements in the vicinity of State Route (SR) 46, including utility relocations, removal and construction of a Caltrans retention pond, construction of a retention pond for the Authority, building demolition, and other Covered Activities related to relocation of utilities within Kern County. In a letter dated June 21, 2019, Permittee requested to increase in the Construction Footprint by 150.46 acres to accommodate design variations including utility relocations, roadway modifications, temporary construction easements, access roads, and other Covered Activities at 19 locations within Fresno, Kings and Tulare counties. Together these design variations required an increase in the Construction Footprint of 169.82 acres, for a total of 6,610.85 acres. On August 8, 2019, CDFW issued **Major Amendment No. 13** to the ITP incorporating these changes.

In a letter dated May 3, 2019, Permittee requested a 50.89-acre expansion of the approved ITP Construction Footprint to address 68 utility conflicts involving PG&E overhead powerlines, AT&T telecommunication lines, SoCal Edison optical fiber, Semitropic irrigation lines, and North Kern Water Storage District relocation of Canal 9-22 and Canal P1030. Work to resolve the utility conflicts included bypass, civil work, protect in place, removal, relocation, and other Covered Activities within Kern County. This request also included three roadway modifications in Kern County, one of which was a new location which brought the Construction Footprint to 6,661.74 acres. On September 3, 2019, CDFW issued **Major Amendment No. 14** to the ITP incorporating these changes.

In a letter dated May 9, 2019, Permittee requested amending the ITP to increase the Construction Footprint by 146.77 acres to accommodate design variations to the Tule elevated structure as well as utility relocations, roadway modifications, access roads, and other covered activities at 11 locations. The request also proposed eliminating two Temporary Construction Easements (TCEs) and two overcrossings, resulting in a 368.58-acre reduction to the Construction Footprint, for a net decrease of 221.81 acres, which brought the total Construction Footprint to 6,439.93 acres. On September 9, 2019, CDFW issued **Major Amendment No. 15** to the ITP incorporating these changes.

In a letter dated August 27, 2019, Permittee requested increasing the Project Construction Footprint by 7.94 acres at Gromer Avenue in Wasco to cover utility relocation, TCEs, and permanent access road construction. In a letter dated September 5, 2019, Permittee requested increasing the Project Construction Footprint by 15.08 acres to accommodate design variations including utilities and an access road within Semitropic Water Storage District (Semitropic WSD) that would need to be relocated at two locations. In a letter dated September 20, 2019, Permittee requested the correction of Table 1 to include the reduction of 8.93 urban acres already accounted for in Amendment 15 as well as removal of the remaining 12.13 acres of orchard in Table 1 which eliminates both TCE impacts from Amendment 15. Together these brought the new construction footprint to 6,462.95 acres. In an e-mail sent on October 10, 2019, CDFW informed Permittee that there would be two additional changes: 1) Table 9 updated to show the current number of nests taken of the maximum five covered by the ITP and 2) Measures 7.1, 8.16.2 and 8.17.2 were further updated to include Designated Small Mammal Trapper(s), 8.16.2 and 8.17.2 were updated to clarify reporting, and 8.17.2 added conditional concurrence of daily trapping forms for the early resumption and/or extension relocation period for non-business days. On October 11, 2019, CDFW issued **Major Amendment No. 16** to the ITP incorporating these changes.

In a letter dated May 2, 2019, Permittee requested increasing the Project Construction Footprint by 57.32 acres to accommodate a variation in the profile design of the HST alignment construction from elevated viaduct to embankment at the sections of the HST mainline that are outside of streams and other waterways; changes to the bridge structures at Cole Slough, Dutch John Cut, and the Kings River channel; and a change from a bridge to two box culverts at Riverside Ditch. Design changes are also included for utility relocations, roadway modifications, TCEs, staging areas, site preparation, demolition, earthwork, and access roads, and other Covered Activities at seven locations as well as shifting the location of a switching station and addition of 20 new wildlife crossings. The request also proposed the reduction of two TCEs resulting in a 33.87-acre reduction to the Construction Footprint, for a net increase of 23.45 acres, bringing the new total Construction Footprint to 6,486.40 acres. On October 31, 2019, CDFW issued **Major Amendment No. 17** to the ITP incorporating these changes.

In a letter dated January 8, 2019, and supplemental information dated January 29, 2019, Permittee requested the “ATC 2 Variation” which included a design change in the City of Wasco from viaduct to an at-grade design. Permittee had originally submitted the ATC 2 Variation together with “Wasco Utilities” and “North-South Utilities” (Amendment 12) however, per discussion and request from CDFW, separate amendment requests were submitted. The Permittee provided additional supplemental information dated April 30, 2019, and September 20, 2019, for the ATC 2 Variation (Wasco at-grade). Permittee requested increasing the Project Construction Footprint by 12.58 acres, for a total of 6,498.98 acres to accommodate design change construction of Wasco at-grade and the addition of TCEs needed for access, staging, equipment storage, and other Covered Activities related to road modifications and building demolition. The request also proposed the addition of 13 dedicated wildlife crossings south of Wasco at-grade, SJKF escape refugia, and a minimum of 300 acres of additional habitat conservation lands to mitigate the reduction in wildlife permeability resulting from the Wasco viaduct design change. On November 22, 2019, CDFW issued **Major Amendment No. 18** to the ITP incorporating these changes.

In a letter dated May 14, 2019, Permittee requested design changes and refinements to accommodate several IPBs from just south of East American Ave (approximately 6.40 miles south of the City of Fresno), to just north of Ave 76, (approximately 4.95 miles north of Allensworth). The IPB Variations will not expand the ITP Construction Footprint or alter the general alignment described in the ITP. In a letter dated October 11, 2019, Permittee requested increasing the Project Construction Footprint by 12.15 acres, for a total of 6,511.13 acres, to accommodate design variations including utility relocations, roadway modifications, temporary construction easements, access roads, and other Covered Activities at McCombs Avenue and Merced Avenue. On December 12, 2019, CDFW issued **Major Amendment No. 19** to the ITP incorporating these changes.

In a letter received March 2, 2020, Permittee requested additional clarification regarding both trapping and burrow excavation for (TKR) and SJAS when occupied or potentially occupied burrows of either species are present in suitable habitat. There is no change to the Construction Footprint acreage. On March 27, 2020, April 10, 2020, and April 23, 2020, CDFW issued and twice reissued **Major Amendment No. 20** to the ITP incorporating these changes.

In a letter dated July 23, 2019, and supplemental information dated July 26, 2019, Permittee requested a net 94.46-acre expansion of the approved ITP Construction Footprint, for a total of 6,605.59 acres, to accommodate design variations of wildlife crossing structures at Cross Creek and Deer Creek as well as utility relocations, roadway modifications, temporary construction easements, access roads, and other Covered Activities at these two locations. In a letter dated November 8, 2019, Permittee

requested to update Table 5 for new dedicated wildlife crossing locations and adjusted locations for existing crossings as well as updating the corresponding Mapbook pages. In a letter dated March 5, 2020, Permittee provided additional culverts for wildlife crossings near Allensworth Ecological Reserve. In a second letter dated March 5, 2020, Permittee provided supplemental information regarding SJKF refugia and this information was updated in a follow-up letter dated March 17, 2020. On May 22, 2020, CDFW issued **Major Amendment No. 21** to the ITP incorporating these changes.

In a letter dated January 6, 2020, Permittee requested a 26.539-acre expansion of the approved ITP Construction Footprint, for a total of 6,632.13 acres, to accommodate design variations including (1) installation of a private access easement in the vicinity of Magnolia Avenue, (2) construction of a new BNSF access road along BNSF right-of-way (ROW) to ensure maintenance and access to BNSF signal equipment and facilities, (3) proposed improvements for Canal 9-22 north of the City of Wasco, (4) installation of drainage ponds and drainage connections within the City of Wasco under the ROW, and (5) installation of a new Pacific Gas and Electric (PG&E) access road to be constructed parallel to the BNSF ROW, and other Covered Activities within and in the vicinity of the City of Wasco. On July 8, 2020, CDFW issued **Major Amendment No. 22** to the ITP incorporating these changes.

In a letter dated May 4, 2021, and in supplemental information submitted to CDFW on June 4, June 22, July 28, and August 11, 2021, Permittee requested a 26.40-acre expansion of the approved ITP Construction Footprint, for a new total of 6,658.53 acres, to accommodate design variations including: (1) installation of improvements to facilitate access and egress for construction, operation, and maintenance of the HST; (2) design improvements for McCombs Avenue; (3) anticipated roadway improvements at SR 46 and associated roundabout and related drainage facilities; (4) design improvements for the Merced Overpass; (5) utility relocations, and (6) other Covered Activities within and in the vicinity of the City of Wasco. On October 12, 2021, CDFW issued **Major Amendment No. 23** to the ITP incorporating these changes.

In a letter dated April 13, 2022, Permittee requested (1) expansion of the ITP Construction Footprint by 34.05 acres to accommodate design variations, utility relocation and protection, roadway modifications, access roads, and temporary construction easements at 24 sites; and (2) update of impacts to foraging habitat and nest trees for SWHA and the associated compensatory mitigation based on the location and extent of nest observations in annual protocol surveys of the Construction Footprint during years 2017-2021 and pre-construction survey results of suitable habitat features. On August 24, 2022, CDFW issued **Major Amendment No. 24** to the ITP incorporating these changes.



In a letter dated September 14, 2022, the Permittee requested the remaining areas of Subzones 1-4, be exempt from further burrow excavation, as currently required by Condition of Approval 8.13.4, due to safety concerns. On October 6, 2022, and October 17, 2022, CDFW issued and reissued **Major Amendment No. 25** to the ITP incorporating these changes.

In a letter dated October 5, 2022, Permittee requested expansion of the ITP Construction Footprint by 7.63 acres to accommodate design variations including access road installation and to facilitate site preparation of the construction of the catenary switching station system site relocation within Kern County. In a letter dated December 23, 2022, Permittee requested expansion of the ITP Construction Footprint by 0.06 acres to accommodate utility relocation and protection at two locations to the north and south of Houston Avenue in Kings County. CDFW also initiated the update of Table 10 to include all the known SWHA nest trees utilized during the 2023 nesting season, updated the due date for the Swainson's Hawk Report and updated Conditions of Approval 7.7 and 8.7. On February 16, 2023, CDFW issued **Major Amendment No. 26** to the ITP incorporating these changes.

In a letter dated March 16, 2023, Permittee requested a 6.04-acre expansion of the approved ITP Construction Footprint, for a total of 6,706.31 acres, to accommodate the Avenue 88, Fresno Irrigation District Access Roads, and Alpaugh Irrigation District Basin Variations. On August 15, 2023, CDFW issued **Major Amendment No. 27** to the ITP incorporating these changes.

In a letter dated July 27, 2023, the Permittee requested changes to the ITP Conditions of Approval regarding SJKF within the City of Fresno, as well as changes to the SWHA Conditions of Approval to reduce monitoring efforts where there is relatively low potential for the species to be impacted. In a letter dated August 7, 2023, the Permittee requested that changes be made to ITP Table 5 for the length and height of 20 dedicated wildlife crossings, improving the Openness Factor for 16, and to Condition of Approval 8.14.5 regarding SWHA Restrictions for Nightwork, allowing for case-by-case variances to be approved by CDFW. On October 19, 2023, CDFW issued **Major Amendment No. 28** to the ITP incorporating these changes.

In issuing the ITP, Major Amendment No. 1, Major Amendment No. 2, Major Amendment No. 3, Minor Amendment No. 4, Major Amendment No. 5, Major Amendment No. 6, Major Amendment No. 7, Major Amendment No. 8, Major Amendment No. 9, Major Amendment No. 10, Major Amendment No. 11, Major Amendment No. 12, Major Amendment No. 13, Major Amendment No. 14, Major Amendment No. 15, Major Amendment No. 16, Major Amendment No. 17, Major Amendment No. 18, Major Amendment No. 19, Major Amendment No. 20, Major

Amendment No. 21, Major Amendment No. 22, Major Amendment No. 23, Major Amendment No. 24, Major Amendment No. 25, Major Amendment No. 26, Major Amendment No. 27, and Major Amendment No. 28 (collectively the ITP, as amended), CDFW found, among other things, that Permittee's compliance with the Conditions of Approval would fully mitigate impacts to the Covered Species and would not jeopardize the continued existence of the Covered Species.

In a letter dated December 12, 2023, the Permittee requested changes to multiple ITP Conditions of Approval relating to surveys and burrow excavation. Additional changes for clarification regarding monitoring and reporting were initiated by CDFW.

Amendment No. 29 (this Amendment), a Major Amendment, makes the following changes to the ITP, as amended:

- 1) This Amendment allows for a new Site Assessment process in lieu of Pre-Construction Surveys if specific criteria are met in areas where work has been previously conducted but has lapsed for more than 30 days.
- 2) This Amendment removes redundant sections from the ITP Conditions of Approval.
- 3) This Amendment moves and modifies multiple ITP Conditions of Approval regarding surveys, burrow excavation, monitoring, and reporting for the purpose of streamlining and clarification.
- 4) This Amendment allows either camera trapping or walking transect surveys to be utilized at some locations instead of trapping surveys for San Joaquin antelope squirrel under certain circumstances and when detection is optimal.

## AMENDMENT

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

1. 7.1 starting on pages 86 of the ITP, as amended, shall be further amended to read as follows:

***7.1. 14-Day Notification Before Commencement and Pre-Construction Survey or Site Assessment. All 14-Day Notifications shall include locations of each proposed work area and Geographic Information System (GIS) data either as a KMZ file or Shapefile which can be geo-referenced to each Work Area location***

**and depicts the detailed location(s) of the written description of where the Covered Activities will occur within specific Work Area(s).**

**7.1.1. Pre-Construction Survey Report.** The Designated Representative shall ~~notify~~ **provide** CDFW **with a 14-Day Notification and Pre-Construction Survey Report at least 14 calendar days prior to commencement of** ~~before~~ starting Covered Activities ~~for each~~ **any of the following circumstances:**

- **New Work Areas with Covered Species habitat as described in Condition of Approval 7.4.**
- **Work Areas where initial ground disturbance (e.g., vegetation removal, clearing, grubbing, and grading) is not completed within 30 days after the last day of trapping and/or burrow excavation unless an extension has been granted by CDFW in writing, e-mail will suffice.**
- **Previous Work Area is within 500 feet of contiguous annual grasslands or alkali desert scrub over 20 acres in size.**

The 14-Day Notification shall ~~include~~ **be submitted with** the Pre-Construction Survey **Report** and shall document compliance with all pre-Project Conditions of Approval before starting such Covered Activities, and shall include the following components:

~~7.1.1. Work Areas, Covered Activities and Equipment. The locations of each proposed work area and Geographic Information System (GIS) data for the points either as a KMZ file or Shapefile that can be referenced to each Work Area location and to depict the detailed location(s) where the written description of the Covered Activities will occur within specific Work Area(s).~~

~~7.1.1.1.2. Work Area Burrow Map. In Work Areas with suitable habitat, **prior to either trapping or burrow excavation**, the Designated Biologist **with assistance from the General Biological Monitor(s) or Designated Small Mammal Trapper** shall **flag all potential TKR and SJAS burrows within any portion of the Project Area, or its 50-foot buffer zone to alert biological and work crews to their presence**, prepare a burrow map ~~for~~ **of all flagged** burrows characteristic of kangaroo rat and SJAS and submit it ~~the~~ **Work Area burrow map** to CDFW for review and approval ~~prior to either trapping or burrow excavation~~ **according to the following procedure:-**~~

7.1.2.1. **1)** CDFW shall review the Work Area burrow map and shall provide written approval (email will suffice) within four (4) business days of receipt of the **Work Area** burrow map.

7.1.2.2. **2)** If during the review of the submitted Work Area burrow map CDFW determines more information is needed, CDFW shall notify the Permittee in writing (email will suffice) within three (3) business days of receiving the **Work Area** burrow map. CDFW will request specific information, or a site visit to resolve information gaps and/or confirm site conditions (notes/decision/confirmations from such site visit will be provided via email to Permittee).

7.1.2.3. **3)** If a revised Work Area burrow map is requested and after the receipt of the revised Work Area burrow map, CDFW will review the amended **Work Area** burrow map within three (3) business days and provide approval in writing (email will suffice) prior to burrow excavations of burrows characteristic of kangaroo rat and SJAS in all areas of suitable habitat features (as described in ITP Conditions of Approval 7.4.1.3 and 7.4.1.4).

~~7.1.1.2.3. **Equipment and Activities List.** Pre-Construction Survey. No more than 30 calendar days prior to Permittee beginning or resuming Covered Activities in each Work Area, the Designated Biologist(s), or Designated Small Mammal Trapper(s), with assistance (if needed) from the General Biological Monitor(s), shall perform pre-construction surveys for Covered Species in the Work Area and appropriate buffer zones for each Covered Species (as defined in Conditions of Approval 8.13.2, 8.14.1, 8.15.1, 8.16.2, 8.17.2). A list of all equipment to be used and all Covered Activities, as identified specifically in the ITP, which will take place at the Work Area will be included in the ~~p~~Pre-Construction Survey **Report**. The Designated Biologist(s) shall submit a report of the pre-construction survey(s) to CDFW at least 14 calendar days prior to commencement of Covered Activities within the particular Work Area.~~

- Former Condition of Approval 7.12 on pages 95 of the ITP as amended shall be moved to Condition of Approval 7.1.1.3 immediately following Condition of Approval 7.1.1.2 and shall be further amended to read as follows:

~~7.1.1.3. 7.12 Notification and Submission of a HDD and Jack and Bore Plan.~~ Designated Representative shall notify CDFW at least 14 calendar days before starting HDD and dry jack and bore activities in the Construction

Footprint and shall document compliance with all pre-Project Conditions of Approval before starting such Covered Activities. Permittee shall also prepare an HDD and Jack and Bore Plan. The HDD and Jack and Bore Plan shall include, but not be limited to, a discussion (and map) of the portion of the Project Area where the activities will occur, a description of the activities that will be completed, “take” minimization and avoidance measures for Covered Species, and any other pertinent information. The HDD and Jack and Bore Plan shall be submitted to CDFW for written approval (email will suffice) prior to starting such Covered Activities. Such Covered Activities may not proceed until the HDD and Jack and Bore Plan approval is received. For all areas within the City of Fresno to 1,000 feet south of East American Avenue (north of Latitude 36.6607 Longitude -119.7502), this submission will not be required, provided that an approved SJKF Designated Biologist has determined there is no sign of SJKF per Conditions of Approval 8.15.1.1 and there is not an occupied SWHA nest within half a mile.

3. A new Condition of Approval 7.1.2 shall be added immediately following Condition of Approval 7.1.1.3 of the ITP as amended as follows:

***7.1.2. Site Assessment. The Designated Representative shall provide CDFW with a 14-Day Notification and a Site Assessment before resuming Covered Activities. Where applicable, work may proceed absent a new Pre-Construction Survey Report provided all the following criteria are met:***

- ***Work Areas where initial ground disturbance (e.g., vegetation removal, clearing, grubbing, and grading) was previously completed.***
- ***Patches of annual grasslands or alkali desert scrub habitats within 500 feet of the Work Area are less than 20 acres.***
- ***There is no recent CNDDDB record(s) (i.e., published or submitted < 10 years) or other known occurrences (<10 years) for SJKF, SJAS or TKR within 1,000 feet of the Work Area.***

***7.1.2.1. SJKF Assessment. Work may proceed absent further SJKF specific minimization provided, an approved SJKF Designated Biologist determines there is no sign of SJKF presence (e.g., potential SJKF scat, footprints, prey remains, or burrows with either a classic ‘keyhole shape’ or vertical scratches above the entrance) in the Work Area.***

**7.1.2.2. SJAS and TKR Assessment. Work may proceed absent further SJAS and TKR specific minimization provided:**

- 1) Previous trapping and/or excavation provided negative results for SJAS and TKR prior to previous initiation of ground disturbing activities (e.g., vegetation removal, clearing, grubbing, and grading).**
- 2) An approved SJAS and TKR Designated Biologist or Designated Small Mammal Trapper has determined the Work Area does not exhibit sign of kangaroo rat (e.g., tail drag, runways, thumping pads), has no suitable small mammal burrows, and SJAS is not observed.**

**If CDFW does not respond within 14 days of submittal with questions or concerns, then the work as proposed in the Site Assessment may proceed. If any future lapses in Covered Activities exceed 6 months at any given Work Area, then a new Site Assessment shall be completed and submitted to CDFW with a new 14-Day Notification.**

4. A new Condition of Approval 7.1.3 shall be added immediately following Condition of Approval 7.1.2 of the ITP as amended as follows:

**7.1.3. Site Assessment with SJAS Supplemental Survey. If suitable small mammal burrows are present within the Work Area, then a Supplemental Survey shall be required. The Permittee shall submit a Work Area burrow map per Condition of Approval 7.1.1.1 and new SJAS Site-Specific Plan to CDFW per Condition of Approval 8.16.1.1**

**For the Supplemental Surveys the Permittee shall trap for SJAS in accordance with Condition of Approval 8.16.4 instead of burrow excavation. Alternatively, either camera trapping or walking transect surveys (hereafter, SJAS Alternative Surveys) may be utilized instead of trapping surveys once the detailed methodology has been submitted to CDFW in an SJAS Mortality Reduction Plan per Condition of Approval 8.16.1 and approved by CDFW. SJAS Alternative surveys may only be utilized when daytime temperatures (sunrise to sunset) are predicted by the National Weather Service to remain within the temperature criterion of 68 to 86 degrees Fahrenheit with no prediction of inclement weather (e.g., a predicted 40 percent or greater chance of precipitation).**

**If approved by CDFW in writing, e-mail will suffice, Alternative Surveys shall proceed according to the SJAS Site-Specific Plan and SJAS Mortality**

***Reduction Plan or trapping shall proceed according to the SJAS Site-Specific Plan and Condition of Approval 8.16.4. Negative Supplemental Survey results may be submitted to CDFW along with a request to proceed without burrow excavation. CDFW shall review the results and shall provide written approval (email will suffice) within three business days of receipt of the Supplemental Survey results.***

5. Condition of Approval 7.1.4 starting on pages 88 of the ITP, as amended, shall be removed as follows:

~~7.1.4. Lapse in Continuity of Work Activities. Should an unplanned or planned lapse of Covered Activities occur at any Work Area for more than 30 calendar days, a new 14-Day Notification and Pre-Construction Survey shall be performed and submitted per the above. For all areas within the City of Fresno to 1,000 feet south of East American (north of Latitude 36.6607 Longitude 119.7502), the period of inactivity of Covered Activities may be extended to six months, provided that an approved SJKE Designated Biologist has determined there is no sign of SJKE per Conditions of Approval 8.15.1.1 and there is not an occupied SWHA nest within 0.5 a mile.~~

6. A new Condition of Approval 7.1.4 shall be added immediately following Condition of Approval 7.1.3 of the ITP as amended as follows:

***7.1.4. Site Assessment with TKR Supplemental Survey. If suitable small mammal burrows are present within the Work Area, then a current TKR Trapping Survey shall be conducted. The Permittee shall submit a Work Area burrow map per Condition of Approval 7.1.1.1 and new TKR Site-Specific Plan to CDFW per Condition of Approval 8.17.1.1***

***If approved by CDFW in writing, e-mail will suffice, trapping shall proceed according to the TKR Site-Specific Plan and Condition of Approval 8.17.4. Negative Supplemental Survey results may be submitted to CDFW along with a request to proceed without burrow excavation. CDFW shall review the results and shall provide written approval (email will suffice) within three business days of receipt of the Supplemental Survey results.***

7. Condition of Approval 7.1.5 starting on pages 88 of the ITP, as amended, shall be removed as follows:

~~7.1.5. Small Mammal Burrow Flagging. The Designated Biologist with assistance from the General Biological Monitor(s) or Designated Small Mammal Trapper shall~~

~~flag all potential TKR and SJAS burrows within any portion of the Project Area, or its 50-foot buffer zone to alert biological and work crews to their presence.~~

8. Condition of Approval 7.3 starting on pages 88 of the ITP, as amended, shall be further amended to read as follows:

7.3. Compliance Monitoring. The Designated Biologist(s) shall **monitor all initial ground disturbing activities (e.g., vegetation removal, clearing, grubbing, and grading) for the entire duration of the activity** ~~be on-site daily at each Work Area within the Project Area when initial vegetation and soil disturbance Covered Activities occur.~~ **After initial ground disturbing activities, the Biological Monitor(s) shall conduct compliance inspections a minimum of once per day within each of the Work Area(s) where Covered Activities are occurring. Biological Monitor(s) shall conduct compliance inspections a minimum of once a month during periods of inactivity unless the inactive Work Area has holes, sumps, trenches, or pipes with long term covers or fencing which must still be checked daily per Condition of Approval 8.7.** The Biological Monitor(s) shall conduct compliance inspections to **achieve the following objectives:**

- (1) minimize incidental take of the Covered Species
- (2) prevent unlawful take of species
- (3) check for compliance with all applicable 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 **Work Project Area** and
- (6) check all open and covered holes, sumps, trenches, or pipes according to Condition of Approval 8.7

~~During initial vegetation and soil disturbance, the Designated Biologist(s) shall conduct compliance inspections continuously within each of the Work Area(s) where Covered Activities are occurring. After initial vegetation and soil disturbance, the Biological Monitor(s) shall conduct compliance inspections a minimum of once per day within each of the Work Area(s) where Covered Activities are occurring. Biological Monitor(s) shall prepare daily written observation and inspection records for each active Work Area, summarizing oversight activities and compliance inspections, observations of Covered Species and their sign, survey results, and~~



monitoring activities required by this ITP **for each day compliance monitoring is conducted**. ~~Biological Monitor(s) shall conduct compliance inspections a minimum of monthly during periods of inactivity and after clearing, grubbing, and grading are completed.~~

9. Condition of Approval 7.7 starting on pages 92 of the ITP, as amended, shall be further amended to read as follows:

**7.7. Monthly Compliance Report.** For the duration of the construction related Covered Activities within the Construction Footprint Activities and Mitigation Site Activities, the Designated Representative or Designated Biologist(s) shall compile the observation and inspection records identified in Condition of Approval 7.3 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 as supported by the Monitoring Logs to be included in a separate attachment. Monthly Compliance Reports shall also include:

- 1) A table summarizing all Pre-Construction Survey **Reports results, Site Assessment (with Supplemental Survey results if applicable)** and all Monthly SWHA survey results.
- 2) A table summarizing all Covered Activities performed the previous month and current month, organized by Work Area and Covered Activity start date. Each Work Area shall include the original ~~pPre-eConstruction sSurvey rReport~~ name and date performed, any updated surveys. If applicable, any LSAA subnotification number shall also be included to ensure compliance with Condition of Approval 3.
- 3) A table including the date Conditions of Approval compliance issues were observed, the date that these compliance issues were resolved, and an explanation if the compliance issues were not resolved the same day.
- 4) An accounting of the number of acres that have been disturbed within the Project Area, both for the prior month and a total since ITP issuance.
- 5) The cumulatively disturbed acreages of identified habitat features for each of the Covered Species within the Project Area, both for preceding 30 days and a total since ITP issuance.
- 6) The acreage of identified habitat features anticipated to be disturbed over the succeeding 30 days.

7) The up-to-date GIS layers, associated metadata, and photo documentation used to track acreages **of suitable habitat features** disturbed during Covered Activities and as identified in Conditions of Approval 7.4 **and as required by Condition of Approval** and 7.5.

**8) A table summarizing all the Covered Species observed and/or handled including the details recorded per Conditions of Approval 7.12.**

Monthly Compliance Reports shall be submitted to CDFW's Regional Office no later than the 15<sup>th</sup> day of the month. The Monthly Compliance Report is due at the office listed in the Notices section of this ITP and via e-mail to [RRR.R4@wildlife.ca.gov](mailto:RRR.R4@wildlife.ca.gov) and the appropriate CDFW's Regional Representative. CDFW may at any time increase or decrease 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.

10. Former Condition of Approval 7.12 on pages 95 of the ITP as amended shall be moved to Condition of Approval 7.1.1.3 immediately following Condition of Approval 7.1.1.2 and removed from page 95 as follows:

~~7.12. Notification and Submission of a HDD and Jack and Bore Plan. Designated Representative shall notify CDFW at least 14 calendar days before starting HDD and dry jack and bore activities in the Construction Footprint and shall document compliance with all pre-Project Conditions of Approval before starting such Covered Activities. Permittee shall also prepare an HDD and Jack and Bore Plan. The HDD and Jack and Bore Plan shall include, but not be limited to, a discussion (and map) of the portion of the Project Area where the activities will occur, a description of the activities that will be completed, "take" minimization and avoidance measures for Covered Species, and any other pertinent information. The HDD and Jack and Bore Plan shall be submitted to CDFW for written approval (email will suffice) prior to starting such Covered Activities. Such Covered Activities may not proceed until the HDD and Jack and Bore Plan approval is received. For all areas within the City of Fresno to 1,000 feet south of East American Avenue (north of Latitude 36.6607 Longitude -119.7502), this submission will not be required, provided that an approved SJKF Designated Biologist has determined there is no sign of SJKF per Conditions of Approval 8.15.1.1 and there is not an occupied SWHA nest within half a mile.~~

11. Former Condition of Approval 8.17.5 starting on page 119 is moved to 7.12 on pages 95 of the ITP as amended and shall be further amended to read as follows:

**7.12-8.17.5. Record of Covered Species Handled. *The Designated Biologist(s) shall maintain a record of all CTS handled under their supervision.*** The Designated Biologist(s) and Designated Small Mammal Trapper(s) shall maintain a record of all SJAS and TKR handled under their supervision. The Designated Biologist(s) shall maintain a record of all documented observations of SJKF. This information shall include for each animal: a) the locations (Global Positioning System [GPS] coordinates and maps) and time of capture and/or observation as well as release; b) sex; c) approximate age (adult/juvenile); d) weight; e) general condition and health, noting all visible conditions including gait and behavior, diarrhea, emaciation, salivation, hair loss, ectoparasites, and injuries; and f) ambient temperature when handled and released.

12. Condition of Approval 8.11 starting on pages 99 of the ITP, as amended, shall be further amended to read as follows:

8.11. Vegetation Removal Methods. Vegetative cover **removal, clearing and grubbing** shall be **completed** removed prior to grading **or other Covered Activities** in Work Areas with identified habitat features suitable for Covered Species. Where possible, hand tools (e.g., trimmer, chain saw, etc.) shall be used to trim or remove shrub vegetation. All **initial** vegetation removal in areas with identified habitat features suitable for Covered Species shall be monitored directly (e.g., directly observed) by the **applicable** Designated Biologist(s) to minimize impacts to **all** Covered Species **potentially present**.

8.11.1. **Subsequent Vegetation Removal After Less than 6 Months of Inactivity.** *If any vegetation encroaches into the Work Area during a period of inactivity of less than 6 months, then a General Biological Monitor(s) approved for each of the Covered Species with the potential to be present shall be on site to monitor the vegetation removal.*

8.11.24. **Subsequent Vegetation Removal After More than 6 Months of Inactivity.** The applicable Designated Biologist(s) shall also be on site for new subsequent vegetation and initial soil disturbing activities. This includes areas that may have been disturbed previously and may or may not have been suitable habitat at the time of initial disturbance, but due to the passage of time have converted into suitable habitat with potential for presence of Covered Species. ***If the Work Area meets all the criteria under the Site Assessment per***

**Condition of Approval 7.1.2, then a single Designated Biologist approved for SJKF, SJAS, and/or TKR may do the monitoring.**

**8.11.3. Vegetation Removal Conditional Monitoring Exemption.** Provided an approved SJKF Designated Biologist has determined that there is no sign of SJKF presence in the area per Condition of Approval 8.15.1.1, then monitoring of vegetation removal may be forgone specifically in the areas within the City of Fresno to 1,000 feet south of East American Avenue (north of Latitude 36.6607 Longitude -119.7502).

13. Condition of Approval 8.15.1 starting on pages 106 of the ITP, as amended, shall be further amended to read as follows:

8.15.1. **SJKF Pre-Construction Survey or Site Assessment.** No more than 30 calendar days prior to Permittee beginning Covered Activities in each Work Area, the Designated Biologist(s) with assistance (if needed) from the General Biological Monitor(s) shall perform a Pre-Construction Survey for SJKF dens (potential, known, active, atypical, and natal) **or Site Assessment of the specific particular Work Area per Conditions of Approval 7.1.** The Pre-Construction Survey **or Site Assessment** shall cover the Work Area and a **500-foot** buffer zone of 500 feet in size beyond the Work Area's boundaries. The Designated Biologist(s) shall submit a report of the ~~p~~**Pre-Construction sSurvey Report or Site Assessment** to CDFW at least ten business **14 calendar** days prior to commencement of Covered Activities within the particular Work Area. **If the criteria under Condition of Approval 7.1.2 and 7.1.2.1 are met, then the SJKF specific measures following 8.15.1 will not be applicable.**

8.15.1.1. **SJKF Surveys within the City of Fresno to 1,000 feet south of East American Avenue (north of Latitude 36.6607 Longitude -119.7502).** Within the City of Fresno to 1,000 feet south of East American Ave, all initial Pre-Construction Surveys shall be conducted by a SJKF approved Designated Biologist and submitted to CDFW at least 7 days prior to commencement of Covered Activities within the **specific particular Work Area.** Any indication of potential SJKF scat, footprints, or burrows with either a classic 'keyhole shape' or vertical scratches above the entrance shall constitute potential presence and all other SJKF Conditions of Approval under 8.15. will need to be followed in that area. If the Designated Biologist determines there is no sign of SJKF presence in the area, then work can proceed absent implementation of the other SJKF specific Conditions of Approval provided Covered Activities do not lapse for more than six months.

14. Condition of Approval 8.15.3 starting on pages 107 of the ITP, as amended, shall be further amended to read as follows:

**8.15.3. SJKF Den Excavation and Blocking.** For active dens and potential dens that exhibit signs of SJKF use or characteristics suggestive of SJKF dens (***e.g., any indication of potential SJKF scat, footprints, prey remains, or burrows with either a classic 'keyhole shape' or vertical scratches above the entrance***), including dens in natural substrate and in/under manmade structures, that cannot be avoided as per Condition of Approval 8.15.2, and if, after four consecutive nights of monitoring with tracking medium or infrared camera, the Designated Biologist(s) has determined that SJKF is not currently present, the den may be excavated or blocked temporarily immediately following monitoring completion, the latter situation (blocking, as opposed to destruction) being required when the den will not be directly impacted by construction ***related activities***. Potential SJKF dens without any signs of SJKF (***e.g., any indication of potential SJKF scat, footprints, prey remains, or burrows with either a classic 'keyhole shape' or vertical scratches above the entrance***) ~~use and demonstrated through monitoring to be unoccupied by SJKF~~ may be excavated (destroyed) by the Designated Biologist(s) or by the General Biological Monitor(s) under the direct supervision of the Designated Biologist(s) without advance tracking or camera monitoring. ***If a den does not need to be destroyed, a one-way door allowing SJKF to exit may be installed at the discretion of the Designated Biologist. Dens shall not be blocked without daily monitoring for the duration of the blockage to ensure the door remains functional.***

Natal dens shall not be excavated until the pups and adults have vacated and then only after consultation with 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 may be completed when, in the judgment of the Designated Biologist(s), the SJKF has escaped from the partially excavated den. SJKF dens shall be carefully excavated until it is certain no 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(s) during ***construction related activities*** ~~Covered Activities~~. Dens to be blocked (e.g., not within the construction footprint but within the no disturbance buffer) shall be blocked with sandbags or other CDFW-approved material that ensures that SJKF cannot reenter or use the den during ***construction related activities*** ~~Covered Activities~~, but that can be easily removed at the cessation of construction ***related activities*** in a ***specific*** ~~given~~ Work Area. If an individual SJKF does not vacate a den within the Work Area within a reasonable timeframe, Permittee shall contact

USFWS and CDFW and get written guidance (e-mail will suffice) from both agencies prior to proceeding with den excavation.

15. Condition of Approval 8.15.5 on pages 108 of the ITP, as amended, shall be further amended to read as follows:

8.15.5. ~~Unblocking-Temporarily Blocked-SJKF Dens~~ ***Removal of Installations.*** SJKF dens blocked as per Condition of Approval 8.15.3 shall be unblocked (material at entrance removed) ***and all one-way doors removed*** within 48 hours of the cessation of active construction ***related*** activities in a given ***each*** Work Area ***where construction related activities will cease for 30 days or more.***

16. Condition of Approval 8.15.6 starting on pages 108 of the ITP, as amended, shall be further amended to read as follows:

8.15.6. ~~Pile Driving near known or potential SJKF Dens and/or SJKF known or potentially occupied habitat.~~ The Designated Biologist will be present on-site during all pile driving activities ***where either direct observations of SJKF are made or where sign of SJKF use or characteristics suggestive of SJKF dens are present (e.g., potential SJKF scat, footprints, prey remains, or burrows with either a classic 'keyhole shape' or vertical scratches above the entrance),*** within 500 feet of any known or potential SJKF den and/or SJKF known or potentially occupied habitat for the duration of the pile driving activity.

17. Condition of Approval 8.16.1 on page 110 of the ITP, as amended, is further amended to read as follows:

8.16.1. ~~SJAS Relocation~~ ***Mortality Reduction Plan.*** The Permittee shall submit a SJAS relocation ***Mortality Reduction Plan*** to CDFW ***for approval*** prior to initiating ***camera trapping or walking transect surveys (Alternative Surveys), trapping surveys, or ground-disturbing activities (including burrow excavation)*** in any areas occupied or potentially occupied by SJAS. ***The SJAS Mortality Reduction Plan shall include a detailed plan for SJAS Alternative Surveys, trapping, relocation, and burrow excavation. The SJAS Mortality Reduction Plan may also include a proposal to trap out a given area and temporarily hold any SJAS captured during specific short-term pre-construction activities such as geotechnical investigations. Trapping and/or excavation which could lead to R*** relocation activities shall not proceed until the relocation ***Mortality Reduction Plan*** has been approved in writing by CDFW's Regional Representative. ~~Once the relocation plan is approved by CDFW, it may be used for all SJAS relocation activities for the duration of the~~

ITP. Any proposed changes to the relocation **Mortality Reduction Plan** shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed relocation **Mortality Reduction Plan** modifications. ***If it becomes apparent that the plan is not adequately protective of SJAS, then CDFW may revoke its approval of the Mortality Reduction Plan and require modifications be made and submitted for approval.***

18. New Condition of Approval 8.16.1.1 shall be added immediately following Condition of Approval 8.16.1 on page 110 of the ITP, as amended, to read as follows:

***8.16.1.1. SJAS Site-Specific Plans. Fourteen days prior to initiating trapping, excavation, or relocation activities at any given Work Area, a SJAS Site-Specific Plan shall be submitted to CDFW for review and approval with the 14-day Notification and the Pre-Construction Survey Report or Site Assessment with trapping or SJAS Alternative Survey.***

***Each SJAS Site-Specific Plan shall include specific information for each Work Area that includes the names of the Designated Biologist(s) who will lead the trapping, SJAS Alternative Survey, or excavation, a list of all General Biological Monitors who will be assisting with the trapping, SJAS Alternative Survey, or excavation, the area to be trapped or excavated, number of burrows, the site where captured individuals will be relocated, and all other information pertinent to the type of survey as described below.***

- 1) Trapping Details. For areas where there will be trapping the following information is also required: number of traps to be used, density of traps (e.g. number of traps per hectare), configuration of proposed trap arrays, and/or geographic layout based on the Work Area burrow map due to site specific conditions (e.g., clusters of burrows); and the type of trap (e.g., Tomahawk type squirrel traps or similar squirrel trap), bait, shading materials, and bedding material to be used.***
- 2) Walking Transect Survey Details. For areas where there will be walking transect surveys the following information is also required: distance between transects considering vegetation height and density, transect length, and overall geographic configuration based on the Work Area burrow map due to site specific conditions (e.g., burrow distribution). SJAS Alternative surveys may only be utilized***

*when daytime temperatures (sunrise to sunset) are predicted by the National Weather Service to remain within the temperature criterion of 68 to 86 degrees Fahrenheit with no prediction of inclement weather (e.g., a predicted 40 percent or greater chance of precipitation).*

- 3) ***Camera Trapping Details.*** *For areas where there will be camera trapping surveys, the following information is also required: number of camera traps to be used, density of camera traps (e.g. number of camera traps per hectare), configuration of proposed camera trap arrays, and/or geographic layout based on the Work Area burrow map due to site specific conditions (e.g., clusters of burrows). SJAS Alternative surveys may only be utilized when daytime temperatures (sunrise to sunset) are predicted by the National Weather Service to remain within the temperature criterion of 68 to 86 degrees Fahrenheit with no prediction of inclement weather (e.g., a predicted 40 percent or greater chance of precipitation).*

***In Work Areas that meet all the criteria for the Site Assessment per Condition of Approval 7.1.2, an SJAS Site-Specific Plan is not required.***

19. Condition of Approval 8.16.2 starting on pages 110 of the ITP, as amended, shall be broken into two Conditions of Approval 8.16.2 and 8.16.3 and further amended to read as follows:

8.16.2. ***SJAS Pre-Construction Survey or Site Assessment Burrow Avoidance.*** ~~No more than 30 calendar days prior to Permittee beginning initial vegetation and ground disturbing~~ ***the commencement of any Covered Activities*** in all areas of suitable habitat features per Conditions of Approval 7.4.1.3 and 7.4.1.4, the Designated Biologist or Designated Small Mammal Trapper(s), assisted (if needed) by the General Biological Monitor, shall conduct ***either a Pre-Construction Survey or Site Assessment of the specific Work Area per Condition of Approval 7.1.*** ~~a visual survey for burrows characteristic of SJAS.~~ ***The Pre-Construction Survey or Site Assessment shall cover the Work Area and a 500-foot buffer zone beyond the Work Area's boundaries. The Designated Biologist(s) shall submit a Pre-Construction Survey Report or Site Assessment to CDFW at least 14 calendar days prior to commencement of Covered Activities within the Work Area. If the criteria under Condition of Approval 7.1.2 and 7.1.2.2 are met, then the SJAS specific measures following this Condition of Approval do not apply. If the criteria for Condition of Approval 7.1.2 are met but 7.1.2.2 are not met, then***



***negative Supplemental Survey results per Condition of Approval 7.1.2 are required to eliminate the need for burrow excavation.***

***8.16.3. SJAS Burrow Avoidance. Burrows characteristic of SJAS shall be avoided by 50 feet unless otherwise approved in writing (email will suffice) by CDFW. If the 50-foot no-disturbance buffer cannot be established, then Any burrows present within the portion of the Project Work Area to be disturbed by earthwork impacted by ground disturbing activities (e.g., vegetation removal, clearing and grubbing, and grading), that are characteristic of SJAS, and that cannot be avoided by the 50-foot avoidance buffer shall be flagged and identified in the Work Area Burrow Map and submitted as part of the 14-Day Notification and Pre-Construction Survey Report for the Work Area per Condition of Approval 7.1.12.***

20. Former Conditions of Approval 8.16.2.1, 8.16.2.2 and 8.16.2.3 starting on pages 110 of the ITP, as amended, shall be moved to Conditions of Approval 8.16.6.1, 8.16.6.2 and 8.16.6.3 and removed from page 110-111 as follows:

~~8.16.2.1. If the Work Area is within Mapping Areas 1, 2, or 3 (see Exhibit 7) except for Subzones 3 and 4 as shown in Exhibit 8, then Permittee shall excavate by hand all burrows characteristic of SJAS within the areas of suitable habitat, in accordance with Condition of Approval 8.16.3, (which may be facilitated by trapping, in accordance with Condition of Approval 8.16.4, if the Designated Biologist determines it to be useful) and in accordance with all applicable measures in the SJAS Relocation Plan per Condition of Approval 8.16.1.~~

~~8.16.2.2. If the Work Area is outside Mapping Areas 1, 2, and 3 (see Exhibit 7) and additionally including Subzones 3 and 4 as shown in Exhibit 8, then the Permittee shall either (1) excavate by hand all burrows characteristic of SJAS within suitable habitat in accordance with Condition of Approval 8.16.3 (which may be facilitated by trapping, in accordance with Condition of Approval 8.16.4, if the Designated Biologist determines it to be useful) in accordance with Condition of Approval 8.16.1 and the CDFW approved SJAS Relocation Plan, as specified above, or shall (2) conduct trapping surveys for SJAS as described in the SJAS Relocation Plan and Condition of Approval 8.16.4.~~

~~8.16.2.3. If trapping and burrow excavation are conducted at a particular Work Area for SJAS, the Designated Biologist(s) shall submit a report of all survey and trapping activities to CDFW prior to commencement of burrow~~

~~excavation within the Work Area. Burrow excavation will commence once written approval (email will suffice) is received from CDFW. All burrow excavation shall be completed within fifteen (15) consecutive calendar days of approval. Project activities may commence once written approval (email will suffice) is received from CDFW.~~

21. Former Conditions of Approval 8.16.3 and 8.16.3.1 starting on pages 111 of the ITP, as amended, shall be moved to Condition of Approval 8.16.5 and 8.16.5.1 and removed from page 111 as follows:

~~8.16.3. SJAS Burrow Excavation. Following live trapping activities, if trapping is conducted, and before ground disturbing activities commence, any burrows characteristic of SJAS within the portion of the Work Area to be disturbed shall be fully excavated by hand by the Designated Biologist(s) or by the General Biological Monitor(s) under the direct supervision of the Designated Biologist(s) in an area not to exceed 10 acres in size to allow any remaining SJAS an opportunity to escape or be captured by hand, as necessary. Any SJAS encountered in the excavated burrows shall be relocated to a CDFW-approved release site identified in the SJAS relocation plan (described in Condition of Approval 8.16.1). Dormant or torpid SJAS encountered shall also be collected and moved to an artificial burrow installed at a CDFW approved release site identified in the SJAS relocation plan (described in Condition of Approval 8.16.1). "Soft release" methods or modified "soft release" methods in cages with artificially constructed burrows shall be used at the release (receiver) sites.~~

~~8.16.3.1. Permittee may request in writing an exception to the 10-acre maximum excavation size that shall contain a compelling ecological reason (e.g., low burrow density) along with the burrow map and survey trap plan (if applicable). CDFW will review the exception request and provide written approval or denial within four (4) business days of receiving the burrow map and survey trap plan (if applicable). Under no circumstances shall excavation occur in a Work Area exceeding 10 acres in size without written CDFW approval.~~

22. Condition of Approval 8.16.4 starting on pages 112 of the ITP, as amended, shall be further amended as follows:

~~8.16.4. SJAS Trapping. Permittee shall submit a Work Area burrow map and **Site-Specific** survey pPlan (**described in Condition of Approval 8.16.1.1**) to CDFW for review and written approval prior to conducting the trapping surveys. The Work Area to be trapped shall not exceed 10 acres in size. Along with the~~

~~Work Area burrow map, the survey trap plan shall include, but not be limited to: (1) the names of the Designated Biologists who will conduct the trapping; (2) the configuration, density, and geographic layout of proposed trap arrays or clusters based on the burrow map; (3) confirmation of the type of trap to be used; (4) trap bait and bedding material to be used in the trap; and any other pertinent information.~~

**8.16.4.1. Trapping Area Size Limit. Work Areas that require small mammal trapping shall be no larger than 10 acres and may need to be smaller if there is high burrow density and required excavation.**

Permittee may request in writing an exception to the 10-acre maximum trapping size that shall contain a compelling ecological reason (e.g., low burrow density) along with the **Work Area** burrow map and survey trap plan. CDFW will review the exception request and provide written approval or denial within four (4) business days of receiving the **Work Area** burrow map and survey trap plan. Under no circumstances shall trapping occur in a Work Area exceeding 10 acres in size without written CDFW approval.

**8.16.4.2. CDFW Review.** CDFW shall review the **Work Area** burrow map per Condition of Approval 7.1.12.1 and **Site-Specific** survey trap ~~Plan~~ **per Condition of Approval 8.16.1.1**. If CDFW approves the **Site-Specific** survey trap ~~Plan~~ along with all other necessary submittals, that approval will be transmitted in writing (email will suffice) and implementation of trapping can proceed. If additional information is needed, CDFW will transmit the request to the Permittee in writing (email will suffice) **within three (3) business days** per Condition of Approval 7.1.2.2.

**8.16.4.3. Trapping Commencement.** ~~8.16.4.5~~ In Work Areas with identified burrows characteristic of SJAS, **where SJAS** trapping surveys per the SJAS Relocation Plan **will be implemented**, shall commence **only if daytime temperatures (sunrise to sunset) are predicted by the National Weather Service to remain within the temperature criterion of 68 to 86 degrees Fahrenheit with no prediction of inclement weather (e.g., a predicted 40 percent or greater chance of precipitation)**. In accordance with ITP Condition of Approval 8.16.1 and according to the following: **Live** trapping shall be done using Tomahawk type squirrel traps (or similar squirrel trap) by the Designated Biologist(s) or Designated Small Mammal Trapper(s) **according to the Site-Specific Plan and** prior to the initiation of ground-disturbing activities in the occupied location. SJAS shall be trapped and relocated to the CDFW approved release site identified in the SJAS relocation **Mortality Reduction** ~~Plan~~ (described in Condition of Approval 8.16.1). **If a**

***lactating female is trapped, the burrows in the vicinity shall be hand excavated until the young are found, even outside Mapping Areas 1, 2, and 3 (Exhibit 7). The young shall then be relocated together with the lactating female.*** ~~SJAS shall be relocated only after young of the year SJAS are observed above ground and~~ ***Trapping shall continue for five consecutive days*** during the main activity period for the species (April 1 to September 30) ***and for six consecutive days of trapping outside of the optimal activity period (October 1 through March 30).***

***8.16.4.4. Trapping Completion and Reporting. The Designated Biologist(s) shall submit a written report of all survey and trapping activities to CDFW within seven calendar days*** ~~After completion of the required number of six (6) consecutive days of trapping that yield no positive detections of SJAS, the Permittee shall notify CDFW in writing (email will suffice).~~ ***The report*** of the trapping results ~~and shall include copies of all trapping field data forms.~~ ***Initial*** ~~Ground disturbing~~ ***Covered Activities (e.g., vegetation removal, clearing, grubbing, and grading*** in the trapped area may then commence without subsequent burrow excavation ***outside of Mapping Areas 1, 2, and 3 (Exhibit 7) as well as within the excluded areas per Condition of Approval 8.16.6.1 subsection 1)***, provided ***initial ground disturbing activities (e.g., vegetation removal, clearing, grubbing, and grading)*** occurs within six (6) months of the negative trapping results if site conditions (e.g., burrow density) remain unchanged.

***8.16.4.5.4. Following Trapping. Either excavation efforts, or commencement of initial ground disturbing activities (e.g., vegetation removal, clearing, grubbing, and grading) without burrow excavation per Condition of Approval 8.16.6.2 shall begin within 30 days after trapping.*** ~~If SJAS are detected within the Work Area, all trapping shall cease, CDFW shall be notified in writing, and burrows shall be hand excavated in accordance with the CDFW approved SJAS Relocation plan (Condition of Approval 8.16.1) and Condition of Approval 8.16.3. If more than 30 days lapse following trapping~~ ***before and/or excavation efforts or start of initial ground disturbing activities (e.g., vegetation removal, clearing, grubbing, and grading) a refresher*** ~~an updated pre-construction survey will be required to determine if there are any new burrows. Per Condition of Approval 7.1 however,~~ ***If CDFW concurs that site conditions remain unchanged, then the*** ~~results of the SJAS trapping and/or excavation efforts can be used for up to six (6) months if CDFW determines site conditions remain unchanged.~~

~~8.16.4.5. In Work Areas with identified burrows characteristic of SJAS, trapping surveys per the SJAS Relocation Plan shall commence in accordance with ITP Condition of Approval 8.16.1 and according to the following: live trapping shall be done using Tomahawk type squirrel traps (or similar squirrel trap) by the Designated Biologist(s) or Designated Small Mammal Trapper(s) prior to the initiation of ground-disturbing activities in the occupied location. SJAS shall be trapped and relocated to the CDFW-approved release site identified in the SJAS relocation plan (described in Condition of approval 8.16.1). SJAS shall be relocated only after young of the year SJAS are observed above ground and during the main activity period for the species (April 1 to September 30).~~

~~8.16.4.6. Early resumption and/or extension of the Trapping period. The Permittee may request a 7-day early resumption and/or extension to the relocation period (beginning no sooner than March 1 through no later than November 15 except on a case-by-case basis) if daytime temperatures (sunrise to sunset) are predicted by the National Weather Service to remain within the temperature criterion of 68 to 86 degrees Fahrenheit with no prediction of inclement weather (e.g., a predicted 40 percent or greater chance of precipitation). Subsequent 7-day resumptions and/or extensions may be requested and approved by CDFW so long as weather conditions are predicted by the National Weather Service to remain within the above temperature criterion. In each request, the Permittee shall provide evidence of young of the year SJAS prior to April 1 and/or adults after September 30 observed above ground at a CDFW-approved reference site. Any captured lactating/nursing female or dependent juvenile SJAS shall be released immediately at the trap location and trapping shall cease until young of the year SJAS are observed above ground and no longer dependent on their mother. The relocation resumption and/or extension request(s) shall be approved in advance and in writing by CDFW (email will suffice). The Designated Biologist(s) shall submit a report of the trapping survey to CDFW at least five (5) business days prior to commencement of Covered Activities within the particular Work Area. If relocation occurs prior to April 1 and/or after September 30, the Designated Biologist(s) shall submit daily trapping forms to CDFW for review and concurrence to continue to proceed with trapping. Daily trapping forms shall include but not be limited to on-site temperatures when traps are opened, when traps are checked, and when animals are relocated; weather conditions (e.g., wind and cloud cover); as well as information about number and type of trap used.~~

23. Former Condition of Approval 8.16.3 starting on pages 111 of the ITP, as amended, shall be moved to 8.16.5 starting on pages 114 and further amended as follows:

**8.16.5.3 SJAS Burrow Excavation.** Following live trapping activities, if trapping is conducted, and before *initial* ground disturbing activities (*e.g., vegetation removal, clearing, grubbing, and grading*) commence, any burrows characteristic of SJAS within the portion of the Work Area to be disturbed shall be fully excavated by hand by the Designated Biologist(s) or by the General Biological Monitor(s) under the direct supervision of the Designated Biologist(s). ~~in an area not to exceed 10 acres in size~~ **Hand excavation is required** to allow any remaining SJAS **potentially in the burrows** an opportunity to escape or be captured by hand, as necessary. Any SJAS encountered in the excavated burrows shall be relocated to a CDFW-approved release site identified in the ~~SJAS relocation~~ **Mortality Reduction Plan** (described in Condition of Approval 8.16.1). Dormant or torpid SJAS encountered shall also be collected and moved to an artificial burrow installed at a CDFW approved release site identified in the ~~SJAS relocation~~ **Mortality Reduction Plan** (described in Condition of Approval 8.16.1). “Soft-release” methods or modified “soft-release” methods in cages with artificially constructed burrows shall be used at the release (receiver) sites.

**8.16.53.1. Excavation Area Size Limit. Work Areas that require burrow excavation shall be no larger than 10 acres and may need to be smaller if the Designated Biologist has reason to believe burrow excavation would take longer than 15 days calendar days (e.g., high burrow density).** Permittee may request in writing an exception to the 10-acre maximum excavation size that shall contain a compelling ecological reason (e.g., low burrow density) along with the **Work Area** burrow map and **SJAS Site-Specific** ~~survey trap~~ **Plan** (if applicable). CDFW will review the exception request and provide written approval or denial within four (4) business days of receiving the burrow map and survey trap plan (if applicable). Under no circumstances shall excavation occur in a Work Area exceeding 10 acres in size without written CDFW approval.

24. New Condition of Approval 8.16.5.2 is added following Condition of Approval 8.16.5.1 of the ITP, as amended, as follows:

**8.16.5.2. Following Excavation. Ground disturbing activities (e.g., vegetation removal, clearing, grubbing, and grading) shall begin as soon as possible after burrow excavation. If more than 30 days lapse following excavation efforts, prior to commencement of ground disturbing activities, a Refresher Survey with an updated Work Area**

***burrow map will be required to determine if there are any new burrows in need of excavation.***

25. New Condition of Approval 8.16.6 is added on pages 114 of the ITP, as amended, as follows:

***8.16.6. Exceptions to Trapping and Burrow Excavation. Mapping Areas 1, 2, and 3 as shown in Exhibit 7 and Subzones 1, 3, and 4 as shown in Exhibit 8. have specific exceptions to trapping and burrow excavation requirements.***

26. Former Conditions of Approval 8.16.2.1, 8.16.2.2, and 8.16.2.3 starting on pages 111 of the ITP, as amended, shall be moved to follow new Condition of Approval 8.16.6 on pages 114 of the ITP, as amended, and shall be further amended as follows:

***8.16.6.2.1. Within Mapping Areas 1, 2, 3.*** If the Work Area is within ***TKR/SJAS*** Mapping Areas 1, 2, or 3 (see Exhibit 7) except for ***parts of*** Subzones 3 and 4 ***in TKR/SJAS Mapping Area 1*** as shown in Exhibit 8, then Permittee shall excavate by hand all burrows characteristic of SJAS ~~within the areas of suitable habitat,~~ in accordance with Condition of Approval 8.16.53, ~~(which ***and*** may be facilitated by trapping, for SJAS in accordance with Condition of Approval 8.16.4, if the Designated Biologist determines it to be useful) and in accordance with all applicable measures in the SJAS Relocation Plan per Condition of Approval 8.16.1.~~

***If the Work Area is in specific parts of Subzones 3 and 4 in TKR/SJAS Mapping Area 1 as shown in Exhibit 8, then the Permittee shall trap for SJAS in accordance with Condition of Approval 8.16.4 instead of burrow excavation. Alternatively, for these two identified Work Areas, SJAS Alternative Surveys may be utilized instead of trapping surveys once the detailed methodology has been submitted to CDFW in a SJAS Mortality Reduction Plan and approved by CDFW. Alternative surveys may only be utilized when daytime temperatures (sunrise to sunset) are predicted by the National Weather Service to remain within the temperature criterion of 68 to 86 degrees Fahrenheit with no prediction of inclement weather (e.g., a predicted 40 percent or greater chance of precipitation).***

***8.16.6.2.2 Outside Mapping Areas 1, 2, 3.*** If the Work Area is outside ***TKR/SJAS*** Mapping Areas 1, 2, and 3 (see Exhibit 7) ***then the Permittee shall either (1) trap in accordance with Condition of Approval 8.16.4 or***

**(2) excavate all burrows characteristic of SJAS in accordance with Condition of Approval 8.16.5.** and additionally including Subzones 3 and 4 as shown in Exhibit 8, then the Permittee shall either (1) ~~excavate by hand all burrows characteristic of SJAS within suitable habitat in accordance with Condition of Approval 8.16.3 (which may be facilitated by trapping, in accordance with Condition of Approval 8.16.4, if the Designated Biologist determines it to be useful) in accordance with Condition of Approval 8.16.1 and the CDFW approved SJAS Relocation Plan, as specified above, or shall~~ (2) **conduct trapping surveys for SJAS as described in the SJAS Relocation Plan and Condition of Approval 8.16.4.**

8.16.6.2.3. **Results.** If **After surveys** and/or burrow excavation are conducted at a particular Work Area for SJAS, the Designated Biologist(s) shall submit a report of all survey and/or **burrow excavation trapping results** activities to CDFW **within 7 calendar days of completion of surveys or burrow excavation.** prior to commencement of burrow excavation within the Work Area Burrow excavation will commence once written approval (email will suffice) is received from CDFW. All burrow excavation shall be completed within fifteen (15) consecutive calendar days of approval. Project activities may commence once written approval (email will suffice) is received from CDFW.

27. Condition of Approval 8.17.1 starting on page 114 of the ITP, as amended, is further amended to read as follows:

8.17.1. ~~TKR Relocation~~ **Mortality Reduction Plan.** The Permittee shall submit a TKR relocation **Mortality Reduction pPlan** to CDFW at least 14 days prior to initiating ground-disturbing activities (**including burrow excavation**) or trapping attempts in any areas **occupied or** potentially occupied by TKR. The relocation **Mortality Reduction pPlan** shall include a detailed plan for trapping, relocation, and burrow excavation. The relocation **Mortality Reduction pPlan** may also include a proposal to trap out a given area and temporarily hold any TKR captured during specific short-term pre-construction activities such as geotechnical investigations. Trapping and/or **excavation which could lead to** relocation activities shall not proceed until the relocation **Mortality Reduction pPlan** has been approved in writing by CDFW's Regional representative. In addition, prior to initiating trapping or relocation activities at any given work site, a site-specific protocol shall be submitted to CDFW for review and approval. Each site-specific protocol shall include specific information for each site that includes information such as the area to be trapped, site specific fencing strategy, number of burrows, number of traps to be used, a list of individuals conducting the



trapping, and the site where trapped individuals will be relocated. Any proposed changes to the relocation **Mortality Reduction Plan** shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed relocation **Mortality Reduction Plan** modifications. **If** at any time it becomes apparent that the plan is not adequately protective of TKR, **then** CDFW may revoke its approval of the relocation **Mortality Reduction Plan** and require modifications be made and submitted for approval.

28. New Condition of Approval 8.17.1.1 is added immediately following Condition of Approval 8.17.1 on page 115 of the ITP, as amended, to read as follows:

***8.17.1.1. TKR Site-Specific Plans. Fourteen days prior to initiating trapping, excavation, or relocation activities at any given sitework Area, a TKR Site-Specific Plan shall be submitted to CDFW for review and approval with the 14-day Notification and the Preconstruction Survey Report or Site Assessment with Supplemental Survey per Condition of Approval 7.1.4. Each TKR Site-Specific Plan shall include specific information for each site that includes the names of the Designated Biologist(s) who will lead the trapping or excavation, a list of all General Biological Monitors who will be assisting with the trapping or excavation, the area to be trapped or excavated, number of burrows, the site where captured individuals will be relocated, and any other pertinent information. For areas where there will be trapping the following information is also required: number of traps to be used, density of traps (e.g. number of traps per hectare), configuration of proposed trap arrays, and/or geographic layout based on the Work Area burrow map due to site specific conditions (e.g., clusters of burrows); and the type of trap (e.g., Sherman type traps or similar small mammal trap), bait, and bedding material to be used. In Work Areas that meet all the criteria under for the Site Assessment per Condition of Approval 7.1.2, a TKR Site-Specific Plan is not required.***

29. Condition of Approval 8.17.2 starting on pages 115 of the ITP, as amended, shall be broken into two Conditions of Approval further amended to read as follows:

***8.17.2. TKR Pre-Construction Survey or Site Assessment. Burrow Avoidance***  
 No more than 30 calendar days prior to the commencement of any ground disturbing **Covered Activities** in all areas of suitable habitat features per Conditions of Approval 7.4.1.3 and 7.4.1.4, the Designated Biologist or Designated Small Mammal Trapper(s), assisted (if needed) by the General Biological Monitor, shall conduct **either a Pre-Construction Survey or Site**

**Assessment of the specific Work Area per Condition of Approval 7.1.** a visual survey for burrows characteristic of TKR. **The Pre-Construction Survey or Site Assessment shall cover the Work Area and a 500-foot buffer zone beyond the Work Area's boundaries. The Designated Biologist(s) shall submit a Pre-Construction Survey Report or Site Assessment to CDFW at least 14 calendar days prior to commencement of Covered Activities within the Work Area. If the criteria under 7.1.2 and 7.1.2.2 are met, then the TKR specific measures following this Condition of Approval do not apply. If the criteria for Condition of Approval 7.1.2 are met but 7.1.2.2 are not met, then negative Supplemental Survey results per Condition of Approval 7.1.4 are required to eliminate the need for burrow excavation.**

**8.17.3. TKR Burrow Avoidance.** Burrows characteristic of TKR shall be avoided by 50 feet unless otherwise approved in writing (email will suffice) by CDFW. **If the 50-foot no-disturbance buffer cannot be established, then any burrows present within the portion of the Work Area to be impacted by ground disturbing activities** earthwork (e.g., **vegetation removal**, clearing, and grubbing, **and** grading, blading, filling) must occur within areas of burrows **that are** characteristic of TKR, these areas shall be **flagged and** identified in the Work Area **Burrow m**Map and submitted as part of the **14-Day** Notification and Pre-Construction **Survey Report** for the Work Area per Condition of Approval 7.1.12.

30. Conditions of Approval formerly 8.17.2.1, 8.17.2.2 and 8.17.2.3 starting on pages 115 of the ITP, as amended, shall be moved to Condition of Approval 8.17.6.1, 8.17.6.2 and 8.17.6.3 and removed from page 115-116 as follows:

~~8.17.2.1. If the Work Area is within TKR/SJAS Mapping Areas 1, 2, or 3 (see Exhibit 7) except for Subzones 3 and 4 as shown in Exhibit 8, then Permittee shall excavate by hand all burrows characteristic of TKR within areas of suitable habitat, in accordance with Condition of Approval 8.17.3, (which may be facilitated by trapping, in accordance with Condition of Approval 8.17.4, if Designated Biologist determines useful) and in accordance with all applicable measure in the CDFW approved TKR Relocation Plan per Condition of Approval 8.17.1.~~

~~8.17.2.2. If the Work Area is outside of the three TKR/SJAS Mapping Areas 1, 2, and 3 (see Exhibit 7) and additionally including Subzones 3 and 4 as shown in Exhibit 8, then the Permittee shall either (1) excavate by hand all burrows characteristic of TKR within suitable habitat in accordance with Condition of Approval 8.17.3 (which may be facilitated by trapping, in accordance with Condition of Approval 8.17.4, if the Designated Biologist~~

determines it to be useful) in accordance with Condition of Approval 8.17.1 and the CDFW approved TKR Relocation Plan, as specified above, or shall (2) conduct trapping surveys for TKR as described in the TKR Relocation Plan and Condition of Approval 8.17.4.

~~8.17.2.3. If trapping and burrow excavation are conducted at a Work Area for TKR, the Designated Biologist(s) shall submit a report of all survey and trapping activities to CDFW prior to commencement of burrow excavation within the Work Area. Burrow excavation will commence once written approval (email will suffice) is received from CDFW. All burrow excavation shall be completed within fifteen (15) consecutive calendar days of approval. Project activities may commence once written approval (email will suffice) is received from CDFW.~~

31. Conditions of Approval formerly 8.17.3 and 8.17.3.1 starting on pages 116 of the ITP, as amended, shall be moved to Condition of Approval 8.17.5 and 8.17.5.1 and removed from page 116 as follows:

~~8.17.3. TKR Burrow Excavation. Following live trapping activities, if trapping is conducted, any burrows characteristic of TKR burrows present within the portion of the Project site to be disturbed shall be fully excavated by hand by the Designated Biologist(s) or by the General Biological Monitor(s) under the direct supervision of the Designated Biologist(s) in an area not to exceed 10 acres in size to allow any remaining TKR an opportunity to escape or be captured by hand, as necessary. Any TKR encountered in the excavated burrows shall be relocated to a CDFW approved release site identified in the TKR relocation plan (described in Condition of Approval 8.17.1). Dormant or torpid TKR encountered shall also be collected and moved to an artificial burrow installed at a CDFW approved release site identified in the TKR relocation plan (described in Condition of Approval 8.17.1). "Soft-release" methods in cages with artificially constructed burrows shall be used at the release (receiver) sites.~~

~~8.17.3.1. Permittee may request in writing an exception to the 10-acre maximum excavation size that shall contain a compelling ecological reason (e.g., low burrow density) along with the burrow map and survey trap plan (if applicable). CDFW will review the exception request and provide written approval or denial within four (4) business days of receiving the burrow map and survey trap plan (if applicable). Under no circumstances shall excavation occur in a Work Area exceeding 10 acres in size without written CDFW approval.~~

32. Condition of Approval 8.16.4 starting on pages 116 of the ITP, as amended, shall be further amended as follows:

8.17.4. TKR Trapping. Permittee shall submit a Work Area burrow map and **Site-Specific** ~~survey trap pPlan~~ **(described in Condition of Approval 8.17.1.1)** to CDFW for review and written approval prior to conducting the trapping surveys. ~~The Work Area to be trapped shall not exceed 10 acres in size. Along with the Work Area burrow map, the survey trap plan shall include, but not be limited to: (1) the names of the Designated Biologists who will conduct the trapping; (2) the configuration, density, and geographic layout of proposed trap arrays or clusters based on the burrow map; (3) confirmation of the type of trap to be used; (4) trap bait and bedding material to be used in the trap; and any other pertinent information.~~

8.17.4.1. **Trapping Area Size Limit**. **Work Areas that require trapping shall be no larger than 10 acres and may need to be smaller if there is high burrow density and require excavation.** Permittee may request in writing an exception to the 10-acre maximum trapping size that shall contain a compelling ecological reason (e.g., low burrow density) along with the **Work Area** burrow map and **Site-Specific** ~~survey trap pPlan~~. CDFW will review the exception request and provide written approval or denial within four (4) business days of receiving the **Work Area** burrow map and survey trap plan. Under no circumstances shall trapping occur in a Work Area exceeding 10 acres in size without written CDFW approval.

8.17.4.2. **CDFW Review**. CDFW shall review the **Work Area** burrow map per Condition of Approval 7.1.12.1 and **Site-Specific** ~~survey trap pPlan~~ **per Condition of Approval 8.17.1.1**. If CDFW approves the **Site-Specific** ~~survey trap pPlan~~ along with all other necessary submittals, that approval will be transmitted in writing (email will suffice) and implementation of trapping can proceed. If additional information is needed, CDFW will transmit the request to the Permittee in writing (email will suffice) **within three (3) business days** per Condition of Approval 7.1.2.2.

8.17.4.3. **Trapping Commencement**. ~~8.17.4.5.~~ In Work Areas with identified burrows characteristic of TKR, **where TKR trapping surveys per the TKR Relocation Site Specific Plan will be implemented. Trapping shall commence only if there is no prediction of inclement weather (e.g., a predicted 40 percent or greater chance of precipitation).** ~~in accordance with Condition of Approval 8.17.1 and according to the following: Live trapping~~ **shall be done** by the Designated Biologist(s) or Designated Small

Mammal Trapper(s) **according to the Site-Specific Plan and** prior to the initiation of ground disturbing activities in these areas to minimize direct mortality. Any captured TKR shall be relocated to a CDFW approved release site identified in the TKR relocation **Mortality Reduction Plan** (described in Condition of Approval 8.17.1). The Designated Biologist(s) shall submit a report of all survey and trapping activities to CDFW at least five (5) business days prior to commencement of Activities within the particular Work Area Covered. Activities will commence once written Covered approval (email will suffice) is received from CDFW. **If a lactating female is trapped, the burrows in the vicinity shall be hand excavated until the young are found, even outside Mapping Areas 1, 2, and 3 (Exhibit 7). The young shall then be relocated together with the lactating female. Trapping shall continue for five consecutive nights during the main activity period for the species (April 1 to October 30) and for six consecutive nights of trapping outside of the optimal activity period (November 1 through March 30).**

- 1) **If ambient air temperature falls below 50 degrees Fahrenheit, traps shall be checked every three (3) hours. If animals are lethargic or showing signs of decreased body temperature or stress, trapping shall cease, the traps shall be closed, and CDFW shall be consulted before trapping resumes.**
- 2) **If ambient air temperature exceeds 99 degrees Fahrenheit, traps shall be closed and CDFW shall be consulted before trapping resumes.**

**8.17.4.4. Trapping Completion and Reporting. The Designated Biologist(s) shall submit a written report of all survey and trapping activities to CDFW within seven calendar days** If after completion of the required number of consecutive days of trapping that for yield no positive detections of TKR, the Permittee shall notify CDFW in writing (email will suffice). **The report** of the trapping results and shall include copies of all trapping field data forms. **Initial g** Ground disturbing Covered **Activities (e.g., vegetation removal, clearing, grubbing, and grading)** in the trapped area may then commence without subsequent burrow excavation **outside of Mapping Areas 1, 2, and 3 (Exhibit 7) as well as within the excluded areas per Condition of Approval 8.16.6.1 subsection 1),** provided **initial ground disturbing activities (e.g., vegetation removal, clearing, grubbing, and grading)** occurs within six (6) months of the negative trapping results if site conditions (e.g., burrow density) remain unchanged.

**8.17.4.54. Following Trapping. Either excavation efforts, or commencement of initial ground disturbing activities (e.g., vegetation removal, clearing, grubbing, and grading) without burrow excavation per Condition of Approval 8.17.6.2 shall begin within 30 days after trapping.** ~~If TKR are detected within the Work Area, all trapping shall cease, CDFW shall be notified in writing, and burrows shall be hand excavated in accordance with the CDFW approved TKR Relocation plan (Condition of Approval 8.17.1) and Condition of Approval 8.17.3. If more than 30 days lapse following trapping before and/or excavation efforts or start of ground disturbing activities without burrow excavation per Condition of Approval 8.16.6.2, an updated Pre-Construction Survey will be required per Condition of Approval 7.1. however, If CDFW concurs that site conditions remain unchanged, then the results of the TKR SJAS trapping efforts can be used for up to six (6)-months if CDFW determines site conditions remain unchanged.~~

~~8.17.4.5. In Work Areas with identified burrows characteristic of TKR, trapping surveys per the TKR Relocation Plan shall commence in accordance with Condition of Approval 8.17.1 and according to the following: live trapped by the Designated Biologist(s) or Designated Small Mammal Trapper(s) prior to the initiation of ground disturbing activities in these areas to minimize direct mortality. Any captured TKR shall be relocated to a CDFW approved release site identified in the TKR relocation plan (described in Condition of Approval 8.17.1). The Designated Biologist(s) shall submit a report of all survey and trapping activities to CDFW at least five (5) business days prior to commencement of Covered Activities within the particular Work Area. Covered Activities will commence once written approval (email will suffice) is received from CDFW.~~

~~8.17.4.6. If the survey trapping will occur outside of the optimal activity range for TKR (April 1 through October 31), trapping shall occur for six (6) consecutive nights.~~

- ~~1. If there is a predicted 40 percent chance or greater of precipitation, the traps shall be closed. When the chance of precipitation is predicted to be less than 40 percent, trapping can commence, and the consecutive nights shall be reset to start at zero and continue for six (6) consecutive nights.~~
- ~~2. If ambient air temperature falls below 50 degrees Fahrenheit, traps shall be checked every three (3) hours. If animals are lethargic or showing signs of decreased body temperature or stress, trapping shall cease, the~~

~~traps shall be closed, and CDFW shall be consulted before trapping resumes.~~

~~8.17.4.7. If the survey trapping will occur within of the optimal activity range for TKR (April 1 through October 31), trapping shall occur for five (5) consecutive nights.~~

- ~~1. If ambient air temperature exceeds 99 degrees Fahrenheit, traps shall be closed and CDFW shall be consulted before trapping resumes to determine if a sufficient trapping effort was performed to add up to the five (5) consecutive nights or if the trap effort needs to be reset to start at zero and continue for five (5) consecutive nights.~~

33. Former Condition of Approval 8.17.3 starting on pages 111 of the ITP, as amended, shall be moved to 8.17.5 as follows:

**8.17.5.3 TKR Burrow Excavation.** Following live trapping activities, if trapping is conducted, **and before initial ground disturbing activities (e.g., vegetation removal, clearing, grubbing, and grading) commence**, any burrows characteristic of TKR burrows present within the portion of the Project site to be disturbed shall be fully excavated by hand by the Designated Biologist(s) or by the General Biological Monitor(s) under the direct supervision of the Designated Biologist(s) in that area not to exceed 10 acres in size to allow any remaining TKR an opportunity to escape or be captured by hand, as necessary. Any TKR encountered in the excavated burrows shall be relocated to a CDFW approved release site identified in the TKR relocation **Mortality Reduction Plan** (described in Condition of Approval 8.17.1). Dormant or torpid TKR encountered shall also be collected and moved to an artificial burrow installed at a CDFW-approved release site identified in the TKR relocation **Mortality Reduction Plan** (described in condition of Approval 8.17.1). "Soft-release" methods in cages with artificially constructed burrows shall be used at the release (receiver) sites.

**8.17.5.3.1. Excavation Area Size Limit. Work Areas that require burrow excavation shall be no larger than 10 acres and may need to be smaller if the Designated Biologist has reason to believe burrow excavation would take longer than 15 days calendar days (e.g., high burrow density).** Permittee may request in writing an exception to the 10-acre maximum excavation size that shall contain a compelling ecological reason (e.g., low burrow density) along with the **Work Area** burrow map and survey

trap plan (if applicable). CDFW will review the exception request and provide written approval or denial within four (4) business days of receiving the **Work Area** burrow map and survey trap plan (if applicable). Under no circumstances shall excavation occur in a Work Area exceeding 10 acres in size without written CDFW approval.

34. New Condition of Approval 8.17.5.2 is added following Condition of Approval 8.17.5.1 of the ITP, as amended, as follows:

***8.17.5.2. Following Excavation. Ground disturbing activities (e.g., vegetation removal, clearing, grubbing, and grading) shall begin as soon as possible after burrow excavation. If more than 30 days lapse following excavation efforts, prior to commencement of ground disturbing activities, a refresher survey with an updated Work Area burrow map will be required to determine if there are any new burrows in need of excavation.***

35. Former Condition of Approval 8.17.5 starting on page 119 of the ITP, as amended, shall be moved to 7.12 on page 95 and removed from page 119 as follows:

~~8.17.5. Record of Covered Species Handled. The Designated Biologist(s) and Designated Small Mammal Trapper(s) shall maintain a record of all SJAS and TKR handled under their supervision. The Designated Biologist(s) shall maintain a record of all documented observations of SJKF. This information shall include for each animal: a) the locations (Global Positioning System [GPS] coordinates and maps) and time of capture and/or observation as well as release; b) sex; c) approximate age (adult/juvenile); d) weight; e) general condition and health, noting all visible conditions including gait and behavior, diarrhea, emaciation, salivation, hair loss, ectoparasites, and injuries; and f) ambient temperature when handled and released.~~

36. New Condition of Approval 8.17.6 is added on pages 119 of the ITP, as amended, as follows:

***8.17.6. Exceptions to Trapping and Burrow Excavation. Mapping Areas 1, 2, and 3 as shown in Exhibit 7 and Subzones 1, 3, and 4 as shown in Exhibit 8. have specific exceptions to trapping and burrow excavation.***

***8.17.6.2.1. Within Mapping Areas 1, 2, 3.*** If the Work Area is within TKR/SJAS Mapping Areas 1,2, or 3 (see Exhibit 7) except for ***parts of*** Subzones 3 and 4 ***in Mapping Area 1*** as shown in Exhibit 8, then Permittee



~~shall excavate by hand all burrows characteristic of TKR within areas of suitable habitat, in accordance with Condition of Approval 8.17.53, (which and may first be facilitated by trapping, for TKR in accordance with Condition of Approval 8.17.4, if Designated Biologist determines useful) and in accordance with all applicable measure in the CDFW approved TKR Relocation Plan per Condition of Approval 8.17.1.~~

***If the Work Area is within parts of Subzone 1 north of TKR/SJAS Mapping Area 1 or within parts of Subzones 3 and 4 in TKR/SJAS Mapping Area 1 as shown in Exhibit 8, then the Permittee shall trap for TKR in accordance with Condition of Approval 8.17.4.***

~~8.17.62.2. ***Outside Mapping Areas 1, 2, 3.*** If the Work Area is outside of the three TKR/SJAS Mapping Areas 1,2, and 3 (see Exhibit 7) ***then the Permittee shall either (1) trap in accordance with Condition of Approval 8.17.4 or (2) excavate all burrows characteristic of TKR in accordance with Condition of Approval 8.17.5.*** and additionally including Subzones 3 and 4 as shown in Exhibit 8, then the Permittee shall either (1) excavate by hand all burrows characteristic of TKR within suitable habitat in accordance with Condition of Approval 8.17.53 (which may be facilitated by trapping, in accordance with Condition of Approval 8.17.4, if the Designated Biologist determines it to be useful) in accordance with Condition of Approval 8.17.1 and the CDFW approved TKR Relocation Plan, as specified above, or shall (2) conduct trapping surveys for TKR as described in the TKR Relocation Plan and Condition of Approval 8.17.4.~~

~~8.17.62.3. ***Results.*** If trapping ***After surveys*** and/or burrow excavation are conducted at a Work Area for TKR, the Designated Biologist(s) shall submit a report of all survey and/or ***burrow excavation*** trapping ***results*** to CDFW ***within 7 calendar days of completion of surveys or burrow excavation.*** prior to commencement of burrow excavation within the Work Area. Burrow excavation will commence once written approval (email will suffice) is received from CDFW. All burrow excavation shall be completed within fifteen (15) consecutive calendar days of approval. Project activities may commence once written approval (email will suffice) is received from CDFW.~~

The corresponding measures in the Mitigation Monitoring and Reporting Program (MMRP) (Attachment 1 of the ITP, as amended) shall be further amended to read the same as above. All terms and conditions of the ITP, as amended, and the MMRP that are not expressly amended herein remain in effect and must be implemented and adhered to by the Permittee.

## FINDINGS

*Issuance of this Amendment will not likely increase the amount of take of the Covered Species compared to the Project as originally approved and this Amendment will not likely increase Project impacts on the Covered Species (i.e., "impacts of taking" as used in Fish and Game Code Section 2081, subd. (b)(2)).*

Discussion: This Amendment makes four specific changes to the ITP, as amended.

- 1) This Amendment allows for a new Site Assessment process in lieu of full Pre-Construction Surveys if specific criteria are met in areas where work has been previously conducted but has lapsed for more than 30 days.
- 2) This Amendment removes redundant sections from the Conditions of Approval.
- 3) This Amendment moves and modifies multiple Conditions of Approval regarding surveys, burrow excavation, monitoring, and reporting for the purpose of streamlining and certification.
- 4) This Amendment allows either camera trapping or walking transect surveys to be utilized at some locations instead of trapping surveys for San Joaquin antelope squirrel under certain circumstances when detection is optimal.

CDFW has determined that although this Amendment will not likely result in an increase in take of the Covered Species, any additional impacts of the taking that would arise will be minimized and fully mitigated through implementation of the Conditions of Approval. Because the impacts will be minimized and fully mitigated, there will be no increase in Project impacts to the Covered Species with this Amendment.

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

Discussion: CDFW determined in June 2015 that the Project as approved, met the standards for issuance of an ITP under CESA. CDFW determined in March 2017, in September 2018, in October 2018, twice in November 2018, in January 2019, three times in February 2019, in March 2019, in April 2019, in May 2019, in August 2019, twice in September 2019, twice in October 2019, in November 2019, in December 2019, in April 2020, in May 2020, in July 2020, in October 2021, in August 2022, in October 2022, in February 2023, in August 2023, and in October 2023 that Amendments No. 1, No. 2,

No. 3, No. 4, No. 5, No. 6, No. 7, No. 8, No. 9, No. 10, No. 11, No. 12, No. 13, No. 14, No. 15, No. 16, No. 17, No. 18, No. 19, No. 20, No. 21, No. 22, No. 23, No. 24, No. 25, No. 26, No. 27, and No. 28 respectively, to the ITP met the standards for issuance of an ITP under CESA. This determination included findings that, among other things, the impacts of the taking would be minimized and fully mitigated and that the Project would not jeopardize the continued existence of the Covered Species. Those findings are unchanged with respect to this Amendment because the Project and ITP, as amended: (1) will not result in increased impacts to the Covered Species or Covered Species habitat, (2) does not alter the Permittee's continued adherence to and implementation of the avoidance and minimization measures set forth in the Conditions of Approval in the ITP, as amended, and MMRP which 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 original ITP in June 2015, Major Amendment No. 1 to the ITP in March 2017, Major Amendment No. 2 in September 2018, Major Amendment No. 3 in October 2018, Minor Amendment No. 4 and Major Amendment No. 5 in November 2018, Major Amendment No. 6 in January 2019, Major Amendments 7, 8, and 9 in February 2019, Major Amendment No. 10 in March 2019, Major Amendment No. 11 in April 2019, Major Amendment No. 12 in May 2019, Major Amendment No. 13 in August 2019, Major Amendments No. 14 and 15 in September 2019, Major Amendment No. 16 and 17 in October 2019, Major Amendment No. 18 in November 2019, Major Amendment No. 19 in December 2019, Major Amendment No. 20 in April 2020, Major Amendment No. 21 in May 2020, Major Amendment No. 22 in July 2020, Major Amendment No. 23 in October 2021, Major Amendment No. 24 in August 2022, Major Amendment No. 25 in October 2022, Major Amendment No. 26 in February 2023, Major Amendment No. 27 in August 2023, and Major Amendment No. 28 in October, 2023, as a responsible agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) after, among other things, considering the California High Speed Train: Fresno to Bakersfield Section Final Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) (SCH No. 2009091126) certified by the lead agency, California High-Speed Rail Authority, on May 7, 2014. As explained in the findings below, CDFW finds for the purposes of CESA that this Amendment represents a major change to the ITP, as amended. However, for the reasons explained above, CDFW concludes that approval of this Amendment will not result in and does not have the potential to create any new significant or substantially more severe environmental effects than previously analyzed

and disclosed by California High Speed Rail Authority during its lead agency review of the Project, particularly with respect to the impacts authorized by CDFW pursuant to the ITP, as amended. As a result, CDFW finds that no subsequent or supplemental environmental review is required by CEQA as part of CDFW’s approval of this Amendment.

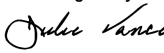
*CDFW finds that this Amendment is a Major Amendment, as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(5).*

Discussion: This Amendment allows for a new Site Assessment process in lieu of Pre-Construction Surveys if specific criteria are met in areas where work has been previously conducted but where work has lapsed for more than 30 days; removes redundant sections; moves and modifies multiple Conditions of Approval regarding surveys, burrow excavation, monitoring and reporting for streamlining and clarification; and allows for either camera trapping or walking transect surveys to be utilized at some locations instead of trapping surveys for San Joaquin antelope squirrel under certain circumstances when detection is optimal.

As described above, these changes to the ITP, as amended, will 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).

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

on 3/18/2024

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Julie A. Vance  
Regional Manager  
Central Region

Major Amendment No. 29  
Incidental Take Permit 2081-2015-024-04  
CALIFORNIA HIGH –SPEED RAIL AUTHORITY  
CALIFORNIA HIGH-SPEED TRAIN PROJECT  
Fresno to Bakersfield Section Permitting Phase 1