



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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



February 6, 2024

Owen Ranta, Team Lead
Chevron Environmental Management Company
Post Office Box 7261
Arroyo Grande, California 93421

Subject: Incidental Take Permit Amendment No. 3 for Guadalupe Oil Field Remediation and Abandonment Project (2081-1999-018-3)

Dear Owen Ranta:

Enclosed you will find an electronic copy of Amendment No. 3 for the incidental take permit for the above referenced Project, which has been digitally signed by the California Department of Fish and Wildlife (CDFW). Please read the amendment carefully, sign the acknowledgement, and return the original **no later than 30 days from CDFW signature**, and prior to initiation of ground-disturbing activities. You may return a hard copy of the amendment via mail to:


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

Alternatively, you may return an electronic copy of the amendment with digital signature to CESA@wildlife.ca.gov. Digital signatures shall comply with Government Code section 16.5. Digital signatures facilitated by CDFW will be automatically returned.

You are advised to keep the amendment in a secure location and distribute copies to appropriate project staff responsible for ensuring compliance with the conditions of approval of the permit. Note that you are required to comply with certain conditions of approval prior to initiation of ground-disturbing activities. Additionally, a copy of the permit and amendments must be maintained at the project work site and made available for inspection by CDFW staff when requested.

The amendment will not take effect until the signed acknowledgement is received by CDFW. If you wish to discuss these instructions or have questions regarding the amendment, please contact Shaelyn Latronica, Environmental Scientist, at shaelyn.latronica@wildlife.ca.gov.

Sincerely,

DocuSigned by:

FA83F09FE08945A...

Julie A. Vance
Regional Manager

Enclosure

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

CENTRAL REGION

1234 EAST SHAW AVENUE

FRESNO, CALIFORNIA, 93710



AMENDMENT NO. 3

(A Minor Amendment)

California Endangered Species Act

Incidental Take Permit No. 2081-1999-018-3

Chevron Environmental Management Company

Guadalupe Oil Field Remediation and Abandonment Project
in San Luis Obispo County

INTRODUCTION

On April 18, 2000, the California Department of Fish and Wildlife (CDFW) issued Incidental Take Permit No. 2081-1999-018-3 (ITP) to Union Oil Company of California (UNOCAL), now merged with Chevron Environmental Management Company (Permittee), authorizing take of La Graciosa thistle (*Cirsium loncholepis*), surf thistle (*Cirsium rothophilum*), and beach spectaclepod (*Dithyrea maritima*) (collectively, the Covered Species) associated with and incidental to the Guadalupe Oil Field Remediation and Abandonment Project (Project) in San Luis Obispo County, California. The Project as described in the ITP as originally issued by CDFW includes remedial actions mandated in Cleanup or Abatement Order (CAO) No. 98-38, issued by the Central Coast Region of the California Regional Water Quality Control Board (RWQCB), which covers the removal of pipeline and surface facilities no longer in use. The Project also includes past emergency actions that resulted in incidental take of La Graciosa thistle in spring 1998. The Project is described in greater detail in Attachment 5, Project Description; Attachment 5 was revised in February 2002.

On February 5, 2008, CDFW approved Amendment No. 1 (a Major Amendment) to the ITP, modifying the Project description and the level of take authorized by the Permit, based on updated information regarding remediation activities and current distribution of the Covered Species. Permittee information and designated representative information was also updated due to the acquisition of UNOCAL by Chevron. Finally, the Permit expiration date was extended to May 1, 2017.

On August 7, 2017, CDFW approved Amendment No. 2 (a Minor Amendment) to the ITP, as amended, which extended the expiration date to May 1, 2024, and updated the contact person from Kyle Rutherford to Owen Ranta. In issuing the ITP, Major Amendment No. 1, and Minor Amendment No. 2 (collectively referred to as the ITP, as amended), CDFW found, among other things, that Permittee's compliance with the Conditions of Approval of the ITP, as amended, would fully mitigate Project impacts of the taking on the Covered Species and that issuance of the ITP, as amended would not jeopardize the continued existence of the Covered Species.

On August 8, 2023, CDFW received an official request and the associated fee payment on October 23, 2023, from the Permittee for a Minor Amendment to the ITP, as amended, to extend the expiration date from May 1, 2024, to May 1, 2031, to complete Project activities.

This Minor Amendment (Amendment No. 3) extends the expiration date of the ITP, as amended, from May 1, 2024, to May 1, 2031, and makes the following change to the existing ITP, as amended:

AMENDMENT

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

In the section entitled “Effective Date and Expiration Date of Permit” on page 6 of the ITP, as amended, shall be further amended to read as follows:

This permit shall be executed in duplicate original form and shall become effective once a duplicate original is acknowledged by applicant (see below) and returned to the Department. Unless renewed by the Department, this permit shall expire on the latter of either ~~May 1, 2024~~ ***May 1, 2031***, or when project activities described in Attachment 5 are complete and Unocal has successfully completed all Mitigation Measures and met final success criteria.

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

FINDINGS

Issuance of Amendment No. 3 will not increase the amount of take of the Covered Species compared to the Project as originally approved, nor will Amendment No. 3 increase other Project impacts on the Covered Species (i.e., “impacts of taking” as used in Fish and Game Code Section 2081, subd. (b)(2)).

Discussion: Amendment No. 3 makes one specific change to the ITP, as amended: (1) extends the expiration date from May 1, 2024, to May 1, 2031. The resulting impacts to the Covered Species, as a result of the Project, will remain the same.

CDFW has determined that extending the expiration date of the ITP, as amended, from May 1, 2024, to May 1, 2031, will not increase the amount of take or the severity of other impacts of the taking on the Covered Species. Given the circumstances of this Project, CDFW believes that the changes to the Project or Conditions of the ITP, as

amended, described in Amendment No. 3, will not increase impacts to the Covered Species.

Issuance of Amendment No. 3 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 April 2000, that the Project, Major Amendment No. 1 in February 2008, and Minor Amendment No. 2 in August 2017, as approved, 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 Amendment No. 3 because the Project and ITP as amended, will have no effect on the amount or severity of Project impacts on the Covered Species. Permittee's continued adherence to and implementation of the avoidance and minimization measures set forth in the ITP's Conditions of Approval and MMRP, as amended, 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 Amendment No. 3.

Discussion: CDFW issued the ITP in April 2000, Major Amendment No. 1 in February 2008, and Minor Amendment No. 2 in August 2017, as a responsible agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) After, among other things, considering the Environmental Impact Report (EIR) certified by the County of San Luis Obispo as the lead agency for the Project. As explained in the findings below, CDFW finds for purposes of CESA that Amendment No. 3 is a minor change to the ITP, as amended. CDFW finds for the same reasons under CEQA that approval of Amendment No. 3 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 the County of San Luis Obispo 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 additional subsequent or supplemental environmental review is required by CEQA as part of CDFW's approval of Amendment No. 3.

CDFW finds that Amendment No. 3 is a Minor Amendment, as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(4).

Discussion: Amendment No. 3 extends the expiration date of the ITP, as amended, from May 1, 2024, to May 1, 2031. These changes to the ITP, as amended, will not: (1) increase the level of take or other Project impacts on Covered Species previously analyzed and authorized by the ITP, as amended, (2) affect Permittee's substantive mitigation obligations under the ITP, as amended, (3) require further environmental review under CEQA, or (4) increase temporal impacts on the Covered Species. Therefore, Amendment No. 3 will not significantly modify the scope or nature of the permitted Project or activity, or the minimization, mitigation, or monitoring measures in the ITP, as amended. CDFW has determined that the change to the ITP, as amended, constitutes a Minor Amendment as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(4).


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

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

Alternatively, the Permittee shall e-mail the digitally signed amendment to CESA@wildlife.ca.gov. Digital signatures shall comply with Government Code section 16.5. Digital signatures facilitated by CDFW will be automatically returned.

APPROVED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

on 2/6/2024

DocuSigned by:

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Julie A. Vance, Regional Manager
CENTRAL REGION

Minor Amendment No. 3
Incidental Take Permit 2081-1999-018-3
CHEVRON ENVIRONMENTAL MANAGEMENT COMPANY
Guadalupe Oil Field Remediation and Abandonment Project

ACKNOWLEDGMENT

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

By: Owen Ranta Date: 4/26/2024

Printed Name: Owen Ranta Title: Las Environmental Compliance Officer for Chevron En
DocuSigned by: 31157BC10CA343E...

Minor Amendment No. 3
Incidental Take Permit 2081-1999-018-3
CHEVRON ENVIRONMENTAL MANAGEMENT COMPANY
Guadalupe Oil Field Remediation and Abandonment Project