

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**  
BAY DELTA REGION  
2825 CORDELIA ROAD, SUITE 100  
FAIRFIELD, CA 94534



**AMENDMENT NO. 6**  
(A Minor Amendment)  
California Endangered Species Act  
Incidental Take Permit No. 2081-2013-031-03  
Charles Traboulsi  
Zero Todd Road CTS Mitigation Site in Sonoma County

**INTRODUCTION**

On November 12, 2015, the California Department of Fish and Wildlife (CDFW) issued Incidental Take Permit No. 2081-2013-031-03 (ITP) to Joy Kane (Permittee), authorizing take of California tiger salamander (*Ambystoma californiense*, CTS) (Covered Species) associated with and incidental to the Zero Todd Road CTS Mitigation Site in Sonoma County, California (Project). The Project as described in the ITP as originally issued by CDFW includes creation of CTS breeding pools within existing seasonal wetland swales on a 63.50-acre site and construction of CTS tunnels across Todd Road to provide connectivity to CTS habitat. In issuing the ITP, CDFW found, among other things, that Permittee's compliance with the Conditions of Approval of the ITP would fully mitigate Project impacts of the taking on the Covered Species and that issuance of the ITP would not jeopardize the continued existence of the Covered Species.

On November 17, 2016, CDFW received from the Permittee a request to renew the ITP and conduct Covered Activities after the 2016-2017 construction season.

On December 28, 2016, CDFW issued Minor Amendment No. 1 to the ITP. Minor Amendment No. 1 changed the ITP expiration date from December 31, 2016 to December 31, 2018.

On November 26, 2018, CDFW received from the Permittee a request to renew the ITP and conduct Covered Activities during the 2019 construction season.

On March 4, 2019, CDFW issued Minor Amendment No. 2 to the ITP. Minor Amendment No. 2 changed the ITP expiration date from December 31, 2018 to December 31, 2020.

On June 11, 2019, CDFW received from the Permittee a request to: 1) modify the Grading and Clearing work period, 2) modify the performance security amounts to reflect the 1.9 acres of Habitat Management land required by the ITP, and 3) correct the restoration of on-site temporary effects acreage.

On August 27, 2019, CDFW issued Minor Amendment No. 3 to the ITP. Minor Amendment No. 3 made the following changes to the ITP: 1) changed the Grading and Clearing work period start date from April 15 to June 15 and provided for work period extensions on a week-by-week basis, as approved by CDFW, 2) increased the land acquisition cost estimate for HM lands from \$47,500.00 to \$163,050.40, 3) decreased the start-up cost estimate for HM lands from \$573,888.00 to \$40,161.10, 4) decreased the contingency security funding cost estimate from \$114,777.00 to \$4,016.10, 5) increased the cost estimate for restoration of on-site temporary effects from \$4,037.00 to \$4,081.12 and corrected the amount of on-site temporary effects acres, and 6) decreased the security amount from \$775,203.00 to \$246,310.62.

On December 8, 2020, CDFW received from the Permittee a request to renew the ITP and conduct Covered Activities after the 2019-2020 construction season.

On December 22, 2020, CDFW issued Minor Amendment No. 4 to the ITP. Minor Amendment No. 4 changed the ITP expiration date from December 31, 2020, to December 31, 2022.

On November 21, 2022, CDFW received from the Permittee a request to transfer the ITP to Charles Traboulsi. The Permittee also requested to renew the ITP and conduct Covered Activities during the 2023 and 2024 construction seasons.

On December 19, 2022, CDFW issued Minor Amendment No. 5 to the ITP. Minor Amendment No. 5 transferred the ITP to Charles Traboulsi and changed the ITP expiration date from December 31, 2022 to December 31, 2024.

On December 18, 2024, CDFW received from the Permittee a request to renew the ITP term through December 31, 2026, and the request indicated that the Permittee is seeking approval of the CTS tunnel design and encroachment permit from Sonoma County, and the CTS tunnel construction can be completed by the end of 2026.

This Minor Amendment No. 6 (Amendment) makes the following change to the existing ITP:

This Amendment changes the expiration date from December 31, 2024 to December 31, 2026.

## **AMENDMENT**

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

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1. The last sentence of the second paragraph on page 1 (Effective Date and Expiration Date of this ITP) shall be amended to read:

Unless renewed by CDFW, this ITP's authorization to take the Covered Species shall expire on **December 31, 2026** ~~December 31, 2024~~.

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

## **FINDINGS**

*Issuance of this Amendment will not increase the amount of take of the Covered Species compared to the Project as originally approved, nor will this Amendment 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: This Amendment makes one specific change to the ITP as originally issued. The change is the extension of the original ITP expiration date. The resulting impacts to the Covered Species; however, including the temporary and permanent impacts to Covered Species habitat as a result of the Project, will remain the same.

CDFW has determined that the extension of time 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 described in this Amendment will not increase impacts to the Covered Species.

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

Discussion: CDFW determined in November 2015 that the Project, 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 this Amendment because the Project and ITP as amended: (1) will have no effect on the amount or severity of Project impacts on the Covered Species, as discussed above, and (2) does not alter the measures that will be undertaken to minimize and mitigate previously authorized 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 will minimize and fully mitigate impacts of the taking on the Covered Species.

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

Discussion: CDFW issued the ITP in November 2015 as a responsible agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) after, among other things, considering the Mitigated Negative Declaration by Sonoma County Permit and Resource Management Department as the lead agency for the Project. As explained in the findings below, CDFW finds for purposes of CESA that this Amendment is a minor change to the original ITP. CDFW finds for the same reasons under CEQA that approval of the 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 Sonoma County Permit and Resource Management Department 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 this Amendment.

*CDFW finds that this Amendment is a Minor Amendment, as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(4).*

Discussion: This Amendment extends the expiration date of the original ITP. This change to the ITP will not: (1) increase the level of take or other Project impacts on Covered Species previously analyzed and authorized by the ITP, (2) affect Permittee's substantive mitigation obligations under the ITP, (3) require further environmental review under CEQA, or (4) increase temporal impacts on the Covered Species. Therefore, this Amendment will not significantly modify the scope or nature of the permitted Project or activity, or the minimization, mitigation, or monitoring measures in the ITP. CDFW has determined that the change to the ITP constitutes a Minor Amendment as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(4).

The authorization provided by this Amendment is not valid until signed by all parties and returned to CDFW. Digital signatures facilitated by CDFW will be automatically returned and shall comply with Government Code section 16.5. Wet signatures on duplicate original paper copies shall be returned by the Permittee via registered first-class mail or overnight delivery to the following address:

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

Alternatively, the Permittee shall email the digitally signed ITP to [CESA@wildlife.ca.gov](mailto:CESA@wildlife.ca.gov).  
Digital signatures shall comply with Government Code section 16.5.

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

on 12/26/2024\_\_\_\_\_.

DocuSigned by:  
*Erin Chappell*  
B77E0A6214EE486\_\_\_\_\_  
Erin Chappell, Regional Manager  
Bay Delta Region

**ACKNOWLEDGMENT**

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

By: \_\_\_\_\_  
DocuSigned by: B7950F8C450949E... Date: 12/26/2024\_\_\_\_\_

Printed Name: Charlie Traboulsi Title: Manager\_\_\_\_\_

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