



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

California Endangered Species Act
Incidental Take Permit No. 2081-2024-043-04

**ANTELOPE GRADE TRUCK CLIMBING LANE CULVERT EXTENSION
(PROJECT)
CALTRANS EA 06-1Q030**

I. Authority:

This California Endangered Species Act (CESA) incidental take permit (ITP) is issued by the California Department of Fish and Wildlife (CDFW) pursuant to Fish and Game Code section 2081, subdivisions (b) and (c), and California Code of Regulations, Title 14, section 783.0 et seq. CESA prohibits the take¹ of any species of wildlife designated by the California Fish and Game Commission as an endangered, threatened, or candidate species.² However, CDFW may authorize the take of any such species by permit pursuant to the conditions set forth in Fish and Game Code section 2081, subdivisions (b). (See Cal. Code Regs., tit. 14, § 783.4.)

Permittee:	California Department of Transportation (Caltrans)
Principal Officer:	Dena Gonzalez, Biology Branch Chief
Contact Person:	Paul Carillo, (559) 840-6712
Mailing Address:	855 M Street, Suite 200 Fresno, California 93721

II. Effective Date and Expiration Date of this ITP:

This ITP is effective as of the date signed by CDFW below. Unless renewed by CDFW, this ITP and its authorization to take the Covered Species shall expire on **May 1, 2029**.

Notwithstanding the expiration date on the take authorization provided by this ITP, Permittee's obligations pursuant to this ITP do not end until CDFW accepts as complete Permittee's Final Mitigation Report required as a Condition of Approval 6.8 of this ITP.

III. Project Location:

The Antelope Grade Truck Climbing Lane Extension Project (Project) is located on State Route (SR) 46, approximately 5.5 miles east of the SR 41 and SR 46 junction at postmile 60.57 in San Luis Obispo County (Figure 1). The GPS coordinates are latitude 35.728354 and longitude -120.198134. The Project is located in Township 25 South, Range 16 East, Section 25 on the Orchard Peak, California, United States Geological Survey 7.5-minute quadrangle map. The Project Area as defined in this ITP includes a streams within the

¹Pursuant to Fish and Game Code section 86, "'take' means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." (See also *Environmental Protection Information Center v. California Department of Forestry and Fire Protection* (2008) 44 Cal.4th 459, 507 [for purposes of incidental take permitting under Fish and Game Code section 2081, subdivision (b), "'take' ... means to catch, capture or kill".])

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

highway right-of-way and up to 50 feet around the stream (“culvert work limits”; see Figure 2). This ITP only affords take coverage to the culvert work limits; any take of state listed species outside of the culvert work limits would be unauthorized and thus a violation of CESA.

IV. Project Description:

The Project involves extending a single existing reinforced concrete box culvert by 30 feet to the north using cast-in place concrete, epoxy bonding and rebar. Only activities related to this culvert extension are covered by this ITP, which includes vegetation clearing and grubbing (removal of roots), excavation and grading, removal of the existing concrete inlet wingwall, installing the culvert extension; pouring concrete, installing a new concrete headwall, establishment of extended road subgrade and asphalt road surface, and re-seeding.

Construction crews will access the site from the road shoulder, within the State right-of-way. Non-native and weedy annual grasses and forbs will be cleared to allow access to the work areas. Vegetation removal will be performed by hand, using hand-tools, or chainsaws, or using heavy equipment such as an excavator, backhoe, or road grader. Other equipment will be staged on the adjacent roadway or uplands. Activities that will be conducted on the roadway over the culvert include replacing pre-cast concrete barrier (“k-rail”), construction staging, and installation of temporary traffic control devices. Temporarily disturbed soil will be re-contoured then reseeded after the culvert extension work is completed. Project activities are expected to take approximately 40 days with no night work.

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

This ITP covers the following species:

<u>Name</u>	<u>CESA Status</u> ³
1. California Tiger Salamander (<i>Ambystoma californiense</i>)	Threatened ⁴

This species and only this species is the “Covered Species” for the purposes of this ITP.

VI. Impacts of the Taking on Covered Species:

Project implementation is expected to result in the incidental take of individuals of the Covered Species. The activities described above expected to result in incidental take of individuals of the Covered Species include all activities included in the construction of the new reinforced concrete box culvert extension and road widening. Specifically, activities include preparing the Project Area; grading, contouring, and excavating soils; demolition and removal of the existing wingwall inlet; temporary stockpiling of soil and materials; constructing temporary access routes and staging areas for culvert activities; operating heavy equipment and vehicular movement; removing vegetation within the culvert work limits; installing and maintaining Covered Species barrier fencing surrounding the culvert work limits; other construction activities referenced in the **Project Description**; and surveying, capturing,

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

⁴See Cal. Code Regs. tit. 14 § 670.5, subd. (b)(3)G).

handling and relocating the Covered Species (Covered Activities). The areas where authorized take of the Covered Species is expected to occur includes the Project Area as described in the **Project Location**, including access and staging areas for Covered Activities within the culvert work limits, and excludes all areas and activities outside of the Project Area associated with the larger transportation project.

Incidental take of individual California tiger salamander (CTS) in the form of mortality ("kill") may also occur as a result of: vehicle or equipment strikes during ingress and egress and hauling of materials, collapse or excavation of occupied burrows that results in crushing or suffocation of underground individuals during grading and compaction, entombment of individuals from deposition of stockpiled material or spoils over occupied burrows and during top soil, or soil compaction, grading activities, the capture or entrapment in holes or trenches, and excavation of burrow systems. Incidental take of CTS may also occur from the Covered Activities in the form of pursuit, catch, capture, or attempt to do so through entrapment within barrier fencing constructed around the Project Area or during capture and relocation of CTS out of harm's way as required by this ITP; and by temporary loss of habitat. Incidental take of individuals may also occur from the Project's incremental contribution to cumulative impacts (indirect impacts) including exposure to chemical contamination from uncured concrete, concrete dust, drilling fluids, petroleum products, paint, and other construction chemicals; loss of burrowing habitat used for shelter, reproduction, and escape cover; long term effects due to increased pollution; displacement from preferred habitat; increased competition for food and space; introduction or spread of invasive species; changes in drainage patterns; and increased vulnerability to predation. Even though the proposed work is temporary, the effects could be longer-lasting if feeding or reproduction are impacted.

The Project is expected to result in the permanent loss of 0.06 acres of CTS upland habitat and the temporary loss of 0.15 acres of CTS upland habitat (Figure 2). Potential indirect impacts to CTS and their habitat include effects of ground-disturbing activities associated with implementation of Covered Activities. These impacts include stress resulting from noise and vibrations from earthwork, equipment operation, and traffic; temporary displacement; increased vulnerability to predation, exposure, or stress through disorientation; and loss of burrowing habitat used for shelter and escape cover. Individuals displaced due to habitat loss and degradation may be unable to survive in adjacent areas if these areas are at carrying capacity or are unsuitable for colonization.

VII. Incidental Take Authorization of Covered Species:

This ITP authorizes incidental take of the Covered Species and only the Covered Species. With respect to incidental take of the Covered Species, CDFW authorizes Permittee, its employees, contractors, and agents to take Covered Species incidentally in carrying out the Covered Activities, subject to the limitations described in this section and the Conditions of Approval identified below. This ITP does not authorize take of Covered Species from activities outside the scope of the Covered Activities, take of Covered Species outside of the Project Area, take of Covered Species resulting from violation of this ITP, or intentional take

of Covered Species except for capture and relocation of Covered Species as authorized by this ITP.

VIII. Conditions of Approval:

Unless specified otherwise, the following measures apply to all Covered Activities within the Project Area, including areas used for vehicular ingress and egress, staging and parking, and noise and vibration generating activities that may/will cause take. CDFW's issuance of this ITP and Permittee's authorization to take the Covered Species are subject to Permittee's compliance with and implementation of the following Conditions of Approval:

1. **Legal Compliance:** Permittee shall comply with all applicable federal, state, and local laws in existence on the effective date of this ITP or adopted thereafter.
2. **CEQA Compliance:** Permittee shall implement and adhere to the mitigation measures related to the Covered Species in the Biological Resources section of the Initial Study with Proposed Negative Declaration (SCH No.: 2024050351) adopted by the California Department of Transportation on December 5, 2024 as lead agency for the Project pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.).
3. **LSA Agreement Compliance:** Permittee shall implement and adhere to the mitigation measures and conditions related to the Covered Species in the Lake and Streambed Alteration Agreement (LSAA) (EPIMS-SLO-45130-R4) for the Project executed by CDFW pursuant to Fish and Game Code section 1600 et seq.
4. **ITP Time Frame Compliance:** Permittee shall fully implement and adhere to the conditions of this ITP within the time frames set forth below and as set forth in the Mitigation Monitoring and Reporting Program (MMRP), which is included as Attachment 1 to this ITP.
5. **General Provisions:**
 - 5.1. Designated Representative. Before starting Covered Activities, Permittee shall designate a representative (Designated Representative) responsible for communications with CDFW and overseeing compliance with this ITP. Permittee shall notify CDFW in writing before starting Covered Activities of the Designated Representative's name, business address, and contact information, and shall notify CDFW in writing if a substitute Designated Representative is selected or identified at any time during the term of this ITP.
 - 5.2. Designated Biologist(s), Biological Monitor(s). Permittee shall submit to CDFW in writing the name, qualifications, business address, and contact information of the Designated Biologist(s) and Biological Monitor(s) using the Biologist Resume Form (Attachment 2) or another format containing the same information at least seven days before starting Covered Activities. The Designated Monitors may assist the

Designated Biologists in compliance monitoring under the direct supervision of the Designated Biologists and as specified in Compliance Monitoring, below. Permittee shall ensure that the Designated Biologist(s) and Biological Monitor(s) are knowledgeable and experienced in the biology and natural history of the Covered Species; collecting and handling of the Covered Species; excavating burrows/crevices to minimize mortality of the Covered Species; and monitoring construction activities following the Conditions of Approval of an ITP for the Covered Species. The Designated Biologist(s) and Biological Monitor(s) shall be responsible for monitoring Covered Activities to help minimize and fully mitigate or avoid the incidental take of individual Covered Species and to minimize disturbance of Covered Species' habitat. Permittee shall obtain CDFW approval of the Designated Biologist(s) and Biological Monitor(s) in writing before starting Covered Activities and shall also obtain approval in advance, in writing, if the Designated Biologist(s) or Biological Monitor(s) must be changed.

- 5.3.** Designated Biologist and Designated Monitor Authority. To ensure compliance with the Conditions of Approval of this ITP, the Designated Biologist(s) and/or Designated Monitor(s) shall immediately stop any activity that does not comply with this ITP and/or order any reasonable measure to avoid the unauthorized take of an individual of the Covered Species. Permittee shall provide unfettered access to the Project Area and otherwise facilitate the Designated Biologist(s) and/or Designated Monitor(s) in the performance of his/her duties. If the Designated Biologist(s) and/or Designated Monitor(s) is unable to comply with the ITP, then the Designated Biologist(s) and/or Designated Monitor(s) shall notify the CDFW Representative immediately. Permittee shall not enter into any agreement or contract of any kind, including but not limited to non-disclosure agreements and confidentiality agreements, with its contractors and/or the Designated Biologist that prohibit or impede open communication with CDFW, including but not limited to providing CDFW staff with the results of any surveys, reports, or studies or notifying CDFW of any non-compliance or take. Failure to notify CDFW of any non-compliance or take or injury of a Covered Species as a result of such agreement or contract may result in CDFW taking actions to prevent or remedy a violation of this ITP.
- 5.4.** Education Program. Permittee shall conduct an education program for all persons employed or otherwise working in the Project Area before performing any work. The program shall consist of a presentation from a Designated Biologist that includes a discussion of the biology and general behavior of the Covered Species, information about the distribution and habitat needs of the Covered Species, sensitivity of the Covered Species to human activities, its status pursuant to CESA including legal protection, recovery efforts, penalties for violations and Project-specific protective measures described in this ITP. Permittee shall prepare and distribute wallet-sized cards or a fact sheet handout containing this information for workers to carry in the Project Area. Permittee shall provide interpretation for non-English speaking workers, and the same instruction shall be provided to any new

workers before they are authorized to perform work in the Project Area. Upon completion of the program, employees shall sign a form stating they attended the program and understand all protection measures. This training shall be repeated at least once annually for long-term and/or permanent employees that will be conducting work in the Project Area.

- 5.5.** Construction Monitoring Documentation. The Designated Biologist(s) and Biological Monitor(s) shall maintain construction-monitoring documentation on-site in either hard copy or digital format throughout the construction period, which shall include a copy of this ITP with attachments and a list of signatures of all personnel who have successfully completed the education program. Permittee shall ensure a copy of the construction-monitoring documentation is available for review at the Project Area upon request by CDFW.
- 5.6.** Trash Abatement. Permittee shall initiate a trash abatement program before starting Covered Activities and shall continue the program for the duration of the Project. Permittee shall ensure that trash and food items are contained in animal-proof containers and removed, ideally at daily intervals but at least once a week, to avoid attracting opportunistic predators such as ravens, coyotes, and feral dogs.
- 5.7.** Dust Control. Permittee shall implement dust control measures during Covered Activities to facilitate visibility for monitoring of the Covered Species by the Designated Biologist(s) and/or Designated Monitor(s). Permittee shall keep the amount of water used to the minimum amount needed and shall not allow water to form puddles. Permittee shall not apply dust suppressant, surfactant, soil binders, or stabilizer products that may be harmful to Covered Species. Permittee shall obtain written approval from CDFW before applying any dust suppressant (other than water), surfactant, soil binders, stabilizer products, hydro-mulch, or hydroseed. Permittee shall provide all available documentation of each product's safety or hazards to wildlife to CDFW with any such request for approval.
- 5.8.** Erosion Control Materials. Permittee shall prohibit use of erosion control materials potentially harmful to Covered Species and other species, such as monofilament netting (erosion control matting) or similar material, in potential Covered Species' habitat.
- 5.9.** Delineation of Project Area. Before starting Covered Activities, Permittee shall clearly delineate the boundaries of the culvert work limits with fencing, stakes, or flags and provide CDFW with Geographic Information Systems (GIS) data files of the demarcated Project Area boundary (based on on-site mapping). Permittee shall restrict all Covered Activities to within the fenced, staked, or flagged areas. Permittee shall maintain all fencing, stakes, and flags until the completion of Covered Activities. Following the completion of Covered Activities, Permittee shall also perform field mapping to delineate the final boundary of Covered Activities,

differentiating temporary and permanent impact areas, and provide CDFW with the associated GIS data files no more than 14 days after completion of Covered Activities. All GIS data files shall be provided in a format acceptable to CDFW.

- 5.10. Project Access. Project-related personnel shall access the Project Area for Covered Activities using existing routes and shall not cross Covered Species' habitat outside of, or en route to the Project Area. Permittee shall restrict Project-related vehicle traffic to established roads, staging, and parking areas as per the Staging Areas Condition of Approval. Permittee shall ensure that vehicle speeds do not exceed 15 miles per hour to avoid Covered Species on or traversing the roads. If Permittee determines construction of routes for Covered Activities for travel are necessary outside of the Project Area, the Designated Representative shall contact CDFW for written approval before carrying out such an activity. CDFW may require an amendment to this ITP, among other reasons, if additional take of Covered Species will occur as a result of the Project modification.
- 5.11. Staging Areas. Permittee shall confine all Project-related parking, storage areas, laydown sites, equipment storage, and any other surface-disturbing activities to previously disturbed areas. Additionally, Permittee shall not use or cross Covered Species' habitat outside of the marked Project Area. If Permittee determines parking, storage, laydown, or staging areas are necessary for Covered Activities outside of the Project Area in suitable habitat for Covered Species, the Designated Representative shall contact CDFW for written approval before carrying out such an activity. CDFW may require an amendment to this ITP, among other reasons, if additional take of Covered Species will occur as a result of the Project modification.
- 5.12. Hazardous Waste. Permittee shall immediately stop and, pursuant to pertinent state and federal statutes and regulations, arrange for repair and clean up by qualified individuals of any fuel or hazardous waste leaks or spills at the time of occurrence, or as soon as it is safe to do so. Permittee shall exclude the storage and handling of hazardous materials from the Project Area and shall properly contain and dispose of any unused or leftover hazardous products off-site.
- 5.13. CDFW Access. Permittee shall provide CDFW staff with reasonable access to the Project and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in this ITP.
- 5.14. Refuse Removal. Upon completion of Covered Activities, Permittee shall remove from the Project Area and properly dispose of all temporary fill and construction refuse, including, but not limited to, broken equipment parts, wrapping material, cords, cables, wire, rope, strapping, twine, buckets, metal or plastic containers, and boxes.

5.15. Wildfire Avoidance. Permittee or Permittee’s contractors shall minimize the potential for human-caused wildfires by carrying water or fire extinguishers and shovels in all Project-related vehicles and equipment. The use of shields, protective mats, or use of other fire preventative methods shall be used during grinding and welding to minimize the potential for fire. Personnel shall be trained regarding the fire hazard for wildlife as part of the worker education program described in the Education Program Condition of Approval.

6. Monitoring, Notification and Reporting Provisions:

6.1. Notification Before Commencement. The Designated Representative shall notify CDFW no less than seven calendar days before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities. The Designated Representative shall also notify CDFW no less than seven calendar days before resuming Covered Activities after a period of no Project work of 30 days or longer.

6.2. Notification of Non-compliance. The Designated Representative, Designated Biologist(s) and Designated Monitor(s) shall immediately notify CDFW if Permittee is not in compliance with any Condition of Approval of this ITP, including but not limited to any actual or anticipated failure to implement measures within the time periods indicated in this ITP and/or the MMRP. The Designated Representative shall follow up within 24 hours with a written report to CDFW describing, in detail, any non-compliance with this ITP and suggested measures to remedy the situation.

6.3. Compliance Monitoring. A Designated Biologist shall be on-site for the duration of the day until Burrow/Crevice Excavation Condition of Approval, Covered Species Exclusion Fencing Condition of Approval (unless full-time monitoring is used in place of exclusionary fencing as described below), and initial grading activities are complete, and during temporary exclusion fence removal, if applicable. Thereafter, a Designated Biologist or Designated Monitor shall conduct compliance inspections at least twice a week during all Covered Activities. During Covered Activities, the Designated Biologist(s) shall be available to respond to the Project Area within one hour of being contacted to address Covered Species needs and any other issues that may arise during implementation of this ITP. Permittee may elect to maintain continual monitoring by a Designated Biologist, while Covered Activities occur, in place of temporary exclusion fence installation. The Designated Biologist(s) and Designated Monitor(s) shall conduct compliance inspections to:

- (1) minimize incidental take of the Covered Species;
- (2) prevent unlawful take of species;
- (3) check for compliance with all measures of this ITP;
- (4) document Covered Activities observed; and

- (5) ensure that signs, stakes, and fencing are intact, and that Covered Activities are only occurring in the Project Area.

The Designated Biologist(s) and Designated Monitor(s) shall prepare daily written observation, inspection records, and photographic documentation summarizing oversight activities and compliance inspections, observations of Covered Species and their sign, survey results, and monitoring activities required by this ITP.

- 6.4. Record of Covered Species Handling. The Designated Biologist(s) shall maintain a record of Covered Species handled and all documented observations of Covered Species. This information shall include for each animal: (1) date, time, and location (Global Positioning System (GPS) coordinates and maps) and capture and/or observation as well as release, if applicable; (2) the name of the party that identified the Covered Species; (3) circumstances of the incident; (3) the general condition and health, noting all visible conditions including gait and behavior, ectoparasites, injuries, etc.; (4) any diagnostic markings, sex, age (juvenile or adult); (5) actions undertaken; (6) habitat description; and (7) ambient temperature when handled and released or observed. The Designated Biologist shall also submit this information to CDFW's California Natural Diversity Database (CNDDDB) as per the CNDDDB Observations Condition of Approval. The Designated Biologist shall prepare a Relocation Summary and include it in the Monthly Compliance and Annual Status Report Conditions of Approval.
- 6.5. Monthly Compliance Report. The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in Compliance Monitoring and Record of Covered Species Handling Conditions of Approval, the total number of nights worked according to the Night Work Condition of Approval, and a copy of the MMRP table with notes showing the current implementation status of each mitigation measure into a **Monthly Compliance Report** and for CDFW. Monthly Compliance Reports shall be submitted to the CDFW offices listed in the Notices section of this ITP and via e-mail to CDFW's Regional Representative and Headquarters CESA Program by the 7th calendar day following the reporting month. At the time of this ITP's approval, the CDFW Regional Representative is Grant Piepkorn (Grant.Piepkorn@wildlife.ca.gov), the Regional Office email is RRR.R4@wildlife.ca.gov, and Headquarters CESA Program email is CESA@wildlife.ca.gov. CDFW may at any time increase the timing and number of compliance inspections and reports required under this provision depending upon the results of previous compliance inspections. If CDFW determines the reporting schedule must be changed, CDFW will notify Permittee in writing of the new reporting schedule.
- 6.6. Annual Status Report. Permittee shall provide CDFW with an **Annual Status Report** no later than January 31 of every year beginning with issuance of this ITP and continuing until CDFW accepts the Final Mitigation Report identified below.

Each Annual Status Report shall include, at a minimum: (1) a summary of all Monthly Compliance Reports for that year identified in Monthly Compliance Report Condition of Approval; (2) a general description of the status of the Project Area and Covered Activities, including actual or projected completion dates, if known; (3) a copy of the table in the MMRP with notes showing the current implementation status of each mitigation measure; (4) an assessment of the effectiveness of each completed or partially completed mitigation measure in avoiding, minimizing and mitigating Project impacts; (5) all available information about Project-related incidental take of the Covered Species; (6) an accounting of the number of acres subject to both temporary and permanent disturbance, both for the prior calendar year, and a total since ITP issuance; and (7) information about other Project impacts on the Covered Species. Annual Status Reports shall be submitted via email to the entities identified in Monthly Compliance Reports, above.

- 6.7. CNDDDB Observations.** The Designated Biologist shall submit all observations of Covered Species to CDFW's California Natural Diversity Database (CNDDDB) within 60 calendar days of the observation and the Designated Biologist shall include copies of the submitted forms with the next Monthly Compliance Report or Annual Status Report, whichever is submitted first relative to the observation.
- 6.8. Final Mitigation Report.** No later than 45 days after completion of all mitigation measures, Permittee shall provide CDFW with a **Final Mitigation Report**. The Designated Biologist shall prepare the Final Mitigation Report which shall include, at a minimum: (1) a summary of all Monthly Compliance Reports and all Annual Status Reports; (2) a copy of the table in the MMRP with notes showing when each of the mitigation measures was implemented; (3) all available information about Project-related incidental take of the Covered Species; (4) information about other Project impacts on the Covered Species; (5) beginning and ending dates of Covered Activities; (6) an assessment of the effectiveness of this ITP's Conditions of Approval in minimizing and fully mitigating Project impacts of the taking on Covered Species; (7) recommendations on how mitigation measures might be changed to more effectively minimize take and mitigate the impacts of future projects on the Covered Species; and (8) any other pertinent information.
- 6.9. Notification of Take or Injury.** Permittee shall immediately notify the Designated Biologist if a Covered Species is taken or injured by a Project-related activity, or if a Covered Species is otherwise found dead or injured within the vicinity of the Project. The Designated Biologist or Designated Representative shall provide initial notification to CDFW by calling the Regional Office at (559) 243-4005 and by email to the CDFW Regional Representative. The initial notification to CDFW shall include information regarding the location, species, and number of animals taken or injured and the ITP Number. Following initial notification, Permittee shall send CDFW a written report within two calendar days. The report shall include the date and time of the finding or incident, location of the animal or carcass, photograph(s),

if possible, explanation as to cause of take or injury, and any other pertinent information.

7. Take Minimization Measures: The following requirements are intended to ensure the minimization of incidental take of Covered Species in the Project Area during Covered Activities. Permittee shall implement and adhere to the following conditions to minimize take of Covered Species:

- 7.1. Covered Species Mortality Reduction and Relocation Plan. The Designated Biologist shall prepare a **Covered Species Mortality Reduction and Relocation Plan** and submit it to CDFW for review and approval a minimum of 14 working days prior to the beginning of Covered Activities. The Covered Species Mortality Reduction and Relocation Plan shall include, but not be limited to, a discussion and map of the portion of the Project Area which represents potential upland habitat; identification of the area within 1.3 miles of known or potential breeding habitat for Covered Species; detailed survey, capture, handling, and relocation methods; identification of relocation areas; required frequency and duration of compliance monitoring per the Compliance Monitoring Condition of Approval; and identification of a wildlife rehabilitation center or veterinary facility capable of treating injured animals. Covered Activities may not proceed until the Covered Species Mortality Reduction and Relocation Plan is approved in writing by CDFW. Designated Monitors are prohibited from capturing and handling the Covered Species unless specifically approved in writing by CDFW and under the direct supervision of the Designated Biologist(s). Any proposed changes to the CDFW-approved Covered Species Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed Covered Species Mortality Reduction and Relocation Plan modifications.
- 7.2. Pre-Activity Clearance Survey and Reporting. No more than 14 days prior to starting Covered Activities, the Designated Biologist(s) shall survey the Project Area for individuals of Covered Species. These surveys shall provide 100 percent visual coverage (including burrow and crevice openings) of the Project Area and a 50-foot buffer zone around the Project Area. If any life stages (adults, eggs, or larvae) of Covered Species are found, the Designated Biologist(s) shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan Condition of Approval. Permittee shall provide the survey results to CDFW in a written report prior to the beginning of Covered Activities.
- 7.3. Flag and Map Burrows/Crevices. During Pre-Activity Clearance Survey and Reporting Condition of Approval, the Designated Biologist(s) or approved Designated Monitor(s) shall flag and map the locations of all animal burrows and crevices suitable for CTS occupancy and accessible by humans within the Project Area including a 50-foot buffer outside those areas to alert work crews to their

presence. An avoidance buffer of 50 feet or greater around animal burrows/crevices shall be maintained or burrows/crevices within the Project Area that cannot be avoided shall be fully excavated in accordance with the Burrow/Crevise Excavation Condition of Approval.

- 7.4. Burrow/Crevise Excavation. Prior to initiating Covered Activities within the Project Area, animal burrows and crevices identified during the Pre-Activity Clearance Survey and Reporting and Flag Burrows/Crevices Conditions of Approval, that are within the Project Area and cannot be avoided shall be fully excavated under the direction supervision of the Designated Biologist(s) based on the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. The Designated Biologist(s) shall relocate any live CTS discovered during burrow excavation in accordance with the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. Excavation shall occur no more than 14 days after the completion of the Pre-Activity Clearance Survey and Reporting Condition of Approval.
- 7.5. Covered Species Exclusion Fencing. Prior to initiation of Covered Activities and following surveying, flagging, and excavating burrows/crevices in accordance with Pre-Activity Clearance Survey and Reporting, Flag Burrow/Crevices, and Burrow/Crevise Excavation Conditions of Approval, Permittee shall install temporary exclusion fencing around the perimeter of the Project Area to prevent Covered Species from migrating into the Project Area. Alternatively, monitoring by the Designated Biologist(s) and/or Designated Monitor(s) shall occur during Covered Activities, according to the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. If used, the temporary exclusion fence shall be installed no later than 48 hours after the burrow and crevice excavation/salvage work is completed and before clearing and grading. If temporary exclusion fencing will be used, Permittee shall submit a **Covered Species Exclusion Fencing Plan** to CDFW for review and written approval a minimum of 30 days prior to installation of temporary exclusion fencing. The Covered Species Exclusion Fencing Plan shall include the type of fencing material and detailed design (including maps) and installation methods, gate design and location, and inspection, maintenance, repair, and replacement methods and intervals. The Covered Species exclusion fence shall be buried a minimum of four inches below ground surface and shall be equipped with one-way exits to avoid entrapment of CTS and other amphibians or reptiles. Permittee shall also avoid small mammal burrows by a minimum of 50 feet during the installation of the exclusion fencing or as approved in the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. Installation of temporary exclusion fencing and shall not proceed until the Covered Species Exclusion Fencing Plan has been approved in writing by CDFW.
- 7.6. Exclusion Fencing Installation and Removal. If temporary exclusion fencing is installed, the Designated Biologist(s) or Designated Monitor(s) shall accompany the temporary exclusion fence construction crew to ensure that CTS are not killed or

injured during fence installation. The temporary exclusion fencing shall be supported sufficiently to maintain its integrity under all conditions such as wind and heavy rain for the duration of the Covered Activities. The Designated Biologist(s) or Designated Monitor(s) shall check the temporary exclusion fence at least once weekly during periods of inactivity to monitor for Covered Species that may need relocating according to the CDFW-approved Covered Species Mortality Reduction and Relocation Plan and to maintain/repair the fence as necessary to ensure its effectiveness. The temporary exclusion fence shall be removed immediately upon completion of Covered Activities.

- 7.7. Precipitation.** Permittee shall monitor the National Weather Service 72-hour forecast for the Project Area. If a 70 percent or greater chance of rainfall is predicted within 72 hours, or if rainfall commences, Permittee shall cease all Covered Activities in all portions of the Project Area where Burrow/Crevice Excavation and CTS Exclusion Fencing Conditions of Approval have not yet been completed or if exclusionary fencing is not erected around the Project Area according to the Covered Species Exclusion Fencing Condition of Approval. Work may re-commence 24 hours after the rain ceases and there is zero percent chance of precipitation in the 72-hour forecast. The Designated Biologist(s) and Designated Monitor(s) shall the Project Area before Covered Activities resume search for CTS and Designated Monitor(s) shall capture and relocate any that are discovered during the surveys according to the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. Covered Activities may continue during rainfall events if exclusion fencing has been installed in accordance with the CDFW-approved Covered Species Exclusion Fencing Plan.
- 7.8. Fieldwork Code of Practice.** To ensure that the Designated Biologist(s) does not convey disease between the Project Area and areas outside the Project Area, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force Fieldwork Code of Practice (see Attachment 2) shall be always followed. The Designated Biologist(s) may substitute a bleach solution (0.5 to 1.0 cup of bleach to 1.0 gallon of water) for the ethanol solution. The Designated Biologist(s) shall ensure that all traces of the disinfectant are removed before entering the next aquatic habitat.
- 7.9. Covered Species Observations.** During all Covered Activities within the Project Area, all workers shall inform the Designated Biologist(s) if a Covered Species is observed within or near the Project Area. All work in the vicinity of the Covered Species, which could injure or kill the animal, shall cease immediately until the Covered Species moves from the Project Area of its own accord or is relocated by the Designated Biologist(s) in accordance with the CDFW-approved Covered Species Mortality Reduction and Relocation Plan.

- 7.10. Open Excavation Inspection.** The Designated Biologist(s) and Designated Monitor(s) shall inspect all open holes, sumps, and trenches within the Project Area at the beginning, middle, and end of each day for trapped Covered Species. To prevent inadvertent entrapment of Covered Species, all open trenches, holes, sumps, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope shall have an escape ramp of earth or a non-slip material with a less than 1:1 (45 degree) slope. The Designated Biologist(s) and Designated Monitor(s) shall thoroughly inspect all trenches, holes, sumps, and other excavations for Covered Species (or other wildlife) before they are backfilled. If any worker discovers that Covered Species have become trapped, Permittee shall cease all Project-related activities in the vicinity and notify the Designated Biologist(s) immediately. Project workers, Designated Biologist(s), and Designated Monitor(s) shall provide the opportunity for the Covered Species to escape unimpeded out of the Work Area before allowing work to continue. Alternatively, if the Covered Species will not leave the Project Area unimpeded, the Designated Biologist(s) shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan.
- 7.11. Materials, Vehicle and Equipment Inspection.** Workers shall thoroughly inspect all vehicles, construction materials, and other equipment that are stored for one or more overnight periods for the Covered Species before the object is subsequently moved, buried, or capped. . If a Covered Species is present, the worker shall notify the Designated Biologist(s) and wait for the Covered Species to move unimpeded out of the Project Area. Alternatively, if the Covered Species will not leave the Project Area unimpeded, the Designated Biologist(s) shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan.
- 7.12. Stockpiles.** Permittee shall ensure that soil stockpiles are placed where soil shall not pass into potential Covered Species breeding habitat, or into any "Waters of the State," including streams that traverse the Project Area, in accordance with Fish and Game Code section 5650. Permittee shall appropriately protect stockpiles to prevent soil erosion.
- 7.13. Herbicide Use.** Permittee shall not use herbicides at any time during Project Activities (including plant establishment) unless the Designated Biologist(s) or an approved Designated Monitor(s) surveys the application area and determines that Covered Species are not present. Permittee shall ensure that all herbicide use (mixing, application, and clean-up) is done by a licensed applicator in accordance with all applicable State, federal, and local regulations. Permittee shall only apply herbicide sprays via ground application when wind speed measures less than three miles per hour. Permittee shall ensure that great care is taken to avoid herbicide outside the boundaries of the Project Area. All herbicide sprays utilized within the Project Area shall contain a dye to prevent overspray.

- 7.14. Avoid Introduction of Herbicides into Waters. Permittee shall ensure herbicide mixing occurs within the Project Area where there is no potential of a spill reaching waters at and near the Project Area. Permittee shall ensure that any herbicide used where there is the possibility that the herbicide could come into direct contact with water is approved for use in an aquatic environment.
- 7.15. Covered Species Injury. If a Covered Species is injured as a result of Project-related activities, the Designated Biologist(s) shall immediately take it to a CDFW approved wildlife rehabilitation or veterinary facility. Permittee shall identify the facility before starting Covered Activities. Permittee shall bear any costs associated with the care or treatment of such injured Covered Species. Permittee shall notify CDFW of the injury to the Covered Species immediately by telephone and e-mail followed by a written incident report as described in the Notification of Take or Injury Condition of Approval. Notification shall include the date, time, location, and circumstances of the incident and the name of the facility where the animal was treated. If Covered Species is found deceased, the Designated Biologist(s) shall immediately collect, bag, and freeze the carcass and consult with CDFW to determine if submittal of the carcass to a laboratory is warranted.

8. Compensatory Mitigation: CDFW has determined that permanent protection and perpetual management of compensatory habitat is necessary and required pursuant to CESA to fully mitigate Project-related impacts of the taking on the Covered Species that will result from implementation of the Covered Activities. This determination is based on factors including an assessment of the importance of the habitat in the Project Area, the extent to which the Covered Activities will impact the habitat, and CDFW's estimate of the protected acreage required to provide for adequate compensation.

- 8.1. Covered Species Credits. Permittee shall purchase Covered Species credits to complete compensatory mitigation obligations. Permittee shall purchase 0.35 acres of Covered Species credits, identified as California tiger salamander upland credits, from a CDFW-approved mitigation or conservation bank prior to initiating Covered Activities and submit to CDFW a copy of the Bill of Sale(s) and Payment Receipt . Prior to purchase of Covered Species credits, Permittee shall obtain CDFW approval to ensure the mitigation or conservation bank is appropriate to compensate for the impacts of the Project.

IX. Amendment:

This ITP may be amended as provided by California Code of Regulations, Title 14, section 783.6, subdivision (c), and other applicable law. This ITP may be amended without the concurrence of Permittee as required by law, including if CDFW determines that continued implementation of the Project as authorized under this ITP would jeopardize the continued existence of the Covered Species or where Project changes or changed biological conditions necessitate an ITP amendment to ensure that all Project-related impacts of the taking to the Covered Species are minimized and fully mitigated.

X. Stop-Work Order:

If CDFW determines Permittee has violated any term or condition of this ITP or has engaged in unlawful take, CDFW may issue Permittee a written stop-work order instructing Permittee to suspend any Covered Activity for an initial period of up to 30 days or risk suspension or revocation of this ITP. CDFW can issue a stop-work order to prevent or remedy a violation of this ITP, including but not limited to the failure to comply with reporting or monitoring obligations, or to prevent the unauthorized take of any CESA endangered, threatened, or candidate species, regardless of whether that species is a Covered Species under this ITP. Permittee shall stop work immediately as directed by CDFW upon receipt of any such stop-work order. Upon written notice to Permittee, CDFW may extend any stop-work order issued to Permittee for a period not to exceed 30 additional days.

If Permittee fails to remedy the violation or to comply with a stop-work order, CDFW may proceed with suspension and revocation of this ITP. Suspension and revocation of this ITP shall be governed by California Code of Regulations, Title 14, section 783.7, and any other applicable law. Neither the Designated Biologist nor CDFW shall be liable for any costs incurred in complying with stop-work orders.

XI. Liability:

All terms and conditions of this ITP shall be binding upon each Permittee. Notwithstanding California Civil Code section 1431 or any other provision of law, each Permittee shall be jointly and severally liable for performance of all terms, conditions, and obligations of this ITP and shall be jointly and severally liable for any unauthorized take or other violations of this ITP, whether committed by Permittees or any person acting on behalf of one or more Permittees, including their officers, employees, representatives, agents or contractors and subcontractors. Any failure by one or more Permittees to comply with any term, condition, or obligation herein shall be deemed a failure to comply by all Permittees.

XII. Compliance with Other Laws:

This ITP sets forth CDFW's requirements for Permittee to implement the Project pursuant to CESA. This ITP does not necessarily create an entitlement to proceed with the Project. Permittee is responsible for complying with all other applicable federal, state, and local law.

XIII. Notices:

Written notices, reports and other communications relating to this ITP shall be delivered to CDFW by email or registered first class mail at the following address, or at addresses CDFW may subsequently provide Permittee. Notices, reports, and other communications shall reference the Project name, Permittee, and ITP Number (2081-2024-043-04) in a cover letter and on any other associated documents.

Original cover with attachment(s) to:

Julie A. Vance, Regional Manager
California Department of Fish and Wildlife
1234 East Shaw Avenue
Fresno, California 93710
RRR.R4@wildlife.ca.gov

and a copy to:

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

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

Grant Piepkorn
California Department of Fish and Wildlife
1234 East Shaw Avenue
Fresno, California 93710
Telephone (559) 807-1459
Grant.Piepkorn@wildlife.ca.gov

XIV. Compliance with the California Environmental Quality Act:

CDFW's issuance of this ITP is subject to CEQA. CDFW is a responsible agency pursuant to CEQA with respect to this ITP because of prior environmental review of the Project by the lead agency, California Department of Transportation. (See generally Pub. Resources Code, §§ 21067, 21069.) The lead agency's prior environmental review of the Project is set forth in the Antelope Grade Vertical Curve Correction and Truck Climbing Lane Extension (SCH No.: 2024050351) adopted by Caltrans on December 5, 2024. At the time the lead agency adopted the Negative Declaration and approved the Project it also adopted various mitigation measures for the Covered Species as conditions of Project approval.

This ITP, along with CDFW's related CEQA findings, which are available as a separate document, provide evidence of CDFW's consideration of the lead agency's Negative Declaration for the Project and the environmental effects related to issuance of this ITP (CEQA Guidelines, § 15096, subd. (f)). CDFW finds that issuance of this ITP will not result in any previously undisclosed potentially significant effects on the environment or a substantial increase in the severity of any potentially significant environmental effects previously disclosed by the lead agency. Furthermore, to the extent the potential for such effects exists,

CDFW finds adherence to and implementation of the Conditions of Project Approval adopted by the lead agency, and that adherence to and implementation of the Conditions of Approval imposed by CDFW through the issuance of this ITP, will avoid or reduce to below a level of significance any such potential effects. CDFW consequently finds that issuance of this ITP will not result in any significant, adverse impacts on the environment.

XV. Findings Pursuant to CESA:

These findings are intended to document CDFW's compliance with the specific findings requirements set forth in CESA and related regulations. (Fish & G. Code § 2081, subs. (b)-(c); Cal. Code Regs., tit. 14, §§ 783.4, subs. (a)-(b), 783.5, subd. (c)(2).)

CDFW finds based on substantial evidence in the ITP application, Negative Declaration, and the administrative record of proceedings, that issuance of this ITP complies and is consistent with the criteria governing the issuance of ITPs pursuant to CESA:

- (1) Take of Covered Species as defined in this ITP will be incidental to the otherwise lawful activities covered under this ITP;
- (2) Impacts of the taking on Covered Species will be minimized and fully mitigated through the implementation of measures required by this ITP and as described in the MMRP. Measures include: (1) permanent habitat protection; (2) establishment of avoidance zones; (3) worker education; and (4) Monthly Compliance Reports. CDFW evaluated factors including an assessment of the importance of the habitat in the Project Area, the extent to which the Covered Activities will impact the habitat, and CDFW's estimate of the acreage required to provide for adequate compensation. Based on this evaluation, CDFW determined that the protection and management in perpetuity of 0.35 acres of compensatory habitat that is contiguous with other protected Covered Species habitat and/or is of higher quality than the habitat being destroyed by the Project, along with the minimization, monitoring, reporting, and funding requirements of this ITP minimizes and fully mitigates the impacts of the taking caused by the Project;
- (3) The take avoidance and mitigation measures required pursuant to the conditions of this ITP and its attachments are roughly proportional in extent to the impacts of the taking authorized by this ITP;
- (4) The measures required by this ITP maintain Permittee's objectives to the greatest extent possible;
- (5) All required measures are capable of successful implementation;
- (6) This ITP is consistent with any regulations adopted pursuant to Fish and Game Code sections 2112 and 2114;

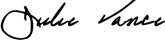
- (7) Permittee has ensured adequate funding to implement the measures required by this ITP as well as for monitoring compliance with, and the effectiveness of, those measures for the Project; and
- (8) Issuance of this ITP will not jeopardize the continued existence of the Covered Species based on the best scientific and other information reasonably available, and this finding includes consideration of the species' capability to survive and reproduce, and any adverse impacts of the taking on those abilities in light of (1) known population trends; (2) known threats to the species; and (3) reasonably foreseeable impacts on the species from other related projects and activities. Moreover, CDFW's finding is based, in part, on CDFW's express authority to amend the terms and conditions of this ITP without concurrence of Permittee as necessary to avoid jeopardy and as required by law.

XVI. Attachments:

FIGURE 1	Project Location Map
FIGURE 2	Project Impact Map
ATTACHMENT 1	Mitigation Monitoring and Reporting Program
ATTACHMENT 2	Biologist Resume Form
ATTACHMENT 3	Declining Amphibian Task Force Fieldwork Code Of Practice

ISSUED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ON

2/13/2025

DocuSigned by:

FA83F09FE08945A...

Julie A. Vance, Regional Manager
Central Region (R4)

Incidental Take Permit
No. 2081-2024-043-04
CALIFORNIA DEPARTMENT OF TRANSPORTATION
ANTELOPE GRADE TRUCK CLIMBING LANE EXTENSION

Figure 1

Figure 1. Project Vicinity Map

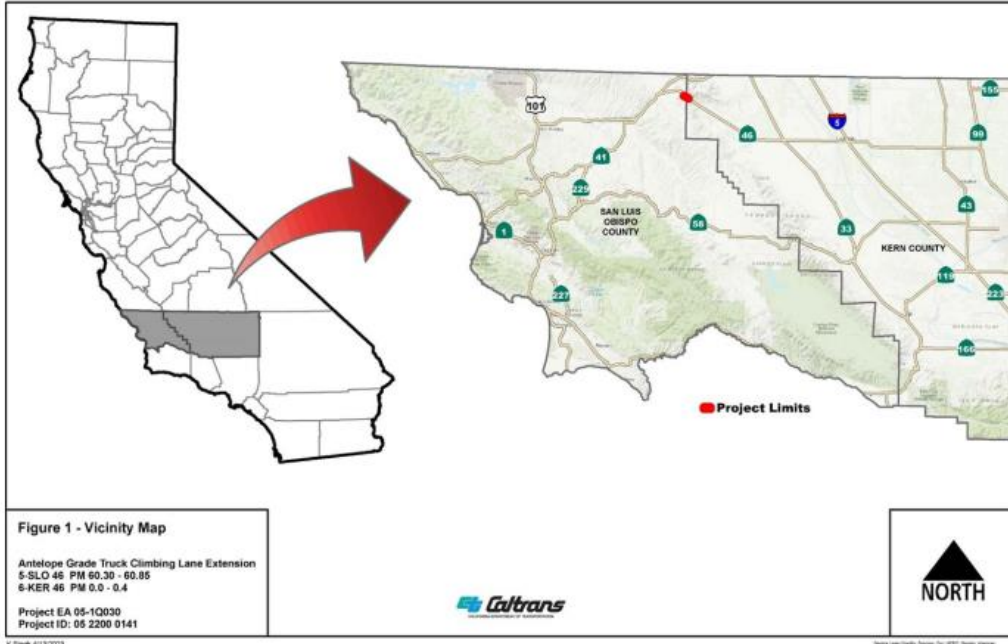
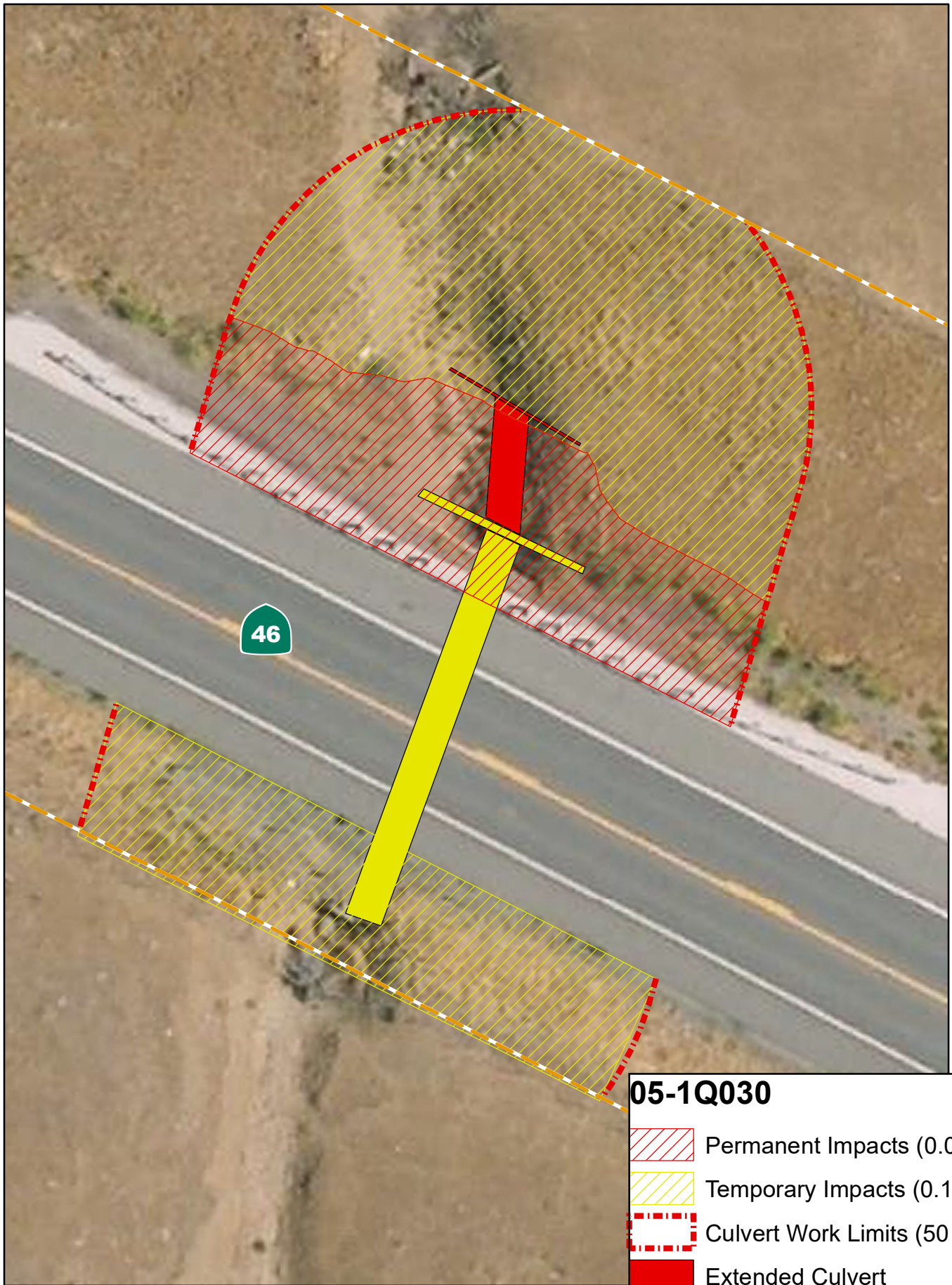


Figure 2

Figure 2



Attachment 1

Attachment 1

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

INCIDENTAL TAKE PERMIT NO. 2081-2024-043-04

PERMITTEE: California Department of Transportation (Caltrans)

**PROJECT: ANTELOPE GRADE TRUCK CLIMBING LANE
EXTENSION (06-1Q030)**

PURPOSE OF THE MMRP

The purpose of the MMRP is to ensure that the impact minimization and mitigation measures required by the Department of Fish and Wildlife (CDFW) for the above-referenced Project are properly implemented, and thereby to ensure compliance with section 2081(b) of the Fish and Game Code and section 21081.6 of the Public Resources Code. A table summarizing the mitigation measures required by CDFW is attached. This table is a tool for use in monitoring and reporting on implementation of mitigation measures, but the descriptions in the table do not supersede the mitigation measures set forth in the California Incidental Take Permit (ITP) and in attachments to the ITP, and the omission of a permit requirement from the attached table does not relieve the Permittee of the obligation to ensure the requirement is performed.

OBLIGATIONS OF PERMITTEE

Mitigation measures must be implemented within the time periods indicated in the table that appears below. Permittee has the primary responsibility for monitoring compliance with all mitigation measures and for reporting to CDFW on the progress in implementing those measures. These monitoring and reporting requirements are set forth in the ITP itself and are summarized at the front of the attached table.

VERIFICATION OF COMPLIANCE, EFFECTIVENESS

CDFW may, at its sole discretion, verify compliance with any mitigation measure or independently assess the effectiveness of any mitigation measure.

TABLE OF MITIGATION MEASURES

The following items are identified for each mitigation measure: Mitigation Measure, Source, Implementation Schedule, Responsible Party, and Status/Date/Initials. The Mitigation Measure column summarizes the mitigation requirements of the ITP. The Source column identifies the ITP condition that sets forth the mitigation measure. The Implementation Schedule column shows the date or phase when each mitigation measure will be implemented. The Responsible Party column identifies the person or agency that is primarily responsible for implementing the mitigation measure. The Status/Date/Initials column shall be completed by the Permittee during preparation of each Status Report and the Final Mitigation Report, and must identify the implementation status of each mitigation measure, the date that status was determined, and the initials of the person determining the status.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
BEFORE DISTURBING SOIL OR VEGETATION					
1	<p><u>Designated Representative</u>. Before starting Covered Activities, Permittee shall designate a representative (Designated Representative) responsible for communications with CDFW and overseeing compliance with the ITP. Permittee shall notify CDFW in writing before starting Covered Activities of the Designated Representative's name, business address, and contact information, and shall notify CDFW in writing if a substitute Designated Representative is selected or identified at any time during the term of the ITP.</p>	ITP Condition # 5.1	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
2	<p><u>Designated Biologist(s), Biological Monitor(s)</u>. Permittee shall submit to CDFW in writing the name, qualifications, business address, and contact information of the Designated Biologist(s) and Biological Monitor(s) using the Biologist Resume Form (Attachment 2) or another format containing the same information at least seven days before starting Covered Activities. The Designated Monitors may assist the Designated Biologists in compliance monitoring under the direct supervision of the Designated Biologists and as specified in <u>Compliance Monitoring</u>, below. Permittee shall ensure that the Designated Biologist(s) and Biological Monitor(s) are knowledgeable and experienced in the biology and natural history of the Covered Species; collecting and handling of the Covered Species; excavating burrows/crevices to minimize mortality of the Covered Species; and monitoring construction activities following the Conditions of Approval of an ITP for the Covered Species. The Designated Biologist(s) and Biological Monitor(s) shall be responsible for monitoring Covered Activities to help minimize and fully mitigate or avoid the incidental take of individual Covered Species and to minimize disturbance of Covered Species' habitat. Permittee shall obtain CDFW approval of the Designated Biologist(s) and Biological Monitor(s) in writing before starting Covered Activities and shall also obtain approval in advance, in writing, if the Designated Biologist(s) or Biological Monitor(s) must be changed.</p>	ITP Condition # 5.2	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
3	<p><u>Education Program</u>. Permittee shall conduct an education program for all persons employed or otherwise working in the Project Area before performing any work. The program shall consist of a presentation from a Designated Biologist that includes a discussion of the biology and general behavior of the Covered Species, information about the distribution and habitat needs of the Covered Species, sensitivity of the Covered Species to human activities, its status pursuant to CESA including legal protection, recovery efforts, penalties for violations and Project-specific protective measures described in this ITP. Permittee shall prepare and distribute wallet-sized cards or a fact sheet handout containing this information for workers to carry in the Project Area. Permittee shall provide interpretation for non-English speaking workers, and the same instruction shall be provided to any new workers before they are authorized to perform work in the Project Area. Upon completion of the program, employees shall sign a form stating they attended the program and understand all protection measures. This training shall be repeated at least once annually for long-term and/or permanent employees that will be conducting work in the Project Area.</p>	ITP Condition # 5.4	Before commencing ground- or vegetation-disturbing activities	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
4	<u>Trash Abatement</u> . Permittee shall initiate a trash abatement program before starting Covered Activities and shall continue the program for the duration of the Project. Permittee shall ensure that trash and food items are contained in animal-proof containers and removed, ideally at daily intervals but at least once a week, to avoid attracting opportunistic predators such as ravens, coyotes, and feral dogs.	ITP Condition # 5.6	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
5	<u>Delineation of Project Area</u> . Before starting Covered Activities, Permittee shall clearly delineate the boundaries of the culvert work limits with fencing, stakes, or flags and provide CDFW with Geographic Information Systems (GIS) data files of the demarcated Project Area boundary (based on on-site mapping). Permittee shall restrict all Covered Activities to within the fenced, staked, or flagged areas. Permittee shall maintain all fencing, stakes, and flags until the completion of Covered Activities. Following the completion of Covered Activities, Permittee shall also perform field mapping to delineate the final boundary of Covered Activities, differentiating temporary and permanent impact areas, and provide CDFW with the associated GIS data files no more than 14 days after completion of Covered Activities. All GIS data files shall be provided in a format acceptable to CDFW.	ITP Condition # 5.9	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
6	<u>Notification Before Commencement</u> . The Designated Representative shall notify CDFW no less than seven calendar days before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities. The Designated Representative shall also notify CDFW no less than seven calendar days before resuming Covered Activities after a period of no Project work of 30 days or longer.	ITP Condition # 6.1	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
7	<p><u>Compliance Monitoring</u>. A Designated Biologist shall be on-site for the duration of the day until <u>Burrow/Crevice Excavation</u> Condition of Approval, <u>Covered Species Exclusion Fencing</u> Condition of Approval (unless full-time monitoring is used in place of exclusionary fencing as described below), and initial grading activities are complete, and during temporary exclusion fence removal, if applicable. Thereafter, a Designated Biologist or Designated Monitor shall conduct compliance inspections at least twice a week during all Covered Activities. During Covered Activities, the Designated Biologist(s) shall be available to respond to the Project Area within one hour of being contacted to address Covered Species needs and any other issues that may arise during implementation of this ITP. Permittee may elect to maintain continual monitoring by a Designated Biologist, while Covered Activities occur, in place of temporary exclusion fence installation. The Designated Biologist(s) and Designated Monitor(s) shall conduct compliance inspections to:</p> <ul style="list-style-type: none"> (1) minimize incidental take of the Covered Species; (2) prevent unlawful take of species; (3) check for compliance with all measures of this ITP; (4) document Covered Activities observed; and (5) ensure that signs, stakes, and fencing are intact, and that Covered Activities are only occurring in the Project Area. <p>The Designated Biologist(s) and Designated Monitor(s) shall prepare daily written observation, inspection records, and photographic documentation summarizing oversight activities and compliance inspections, observations of Covered Species and their sign, survey results, and monitoring activities required by this ITP.</p>	ITP Condition # 6.3	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
8	<p><u>Covered Species Mortality Reduction and Relocation Plan</u>. The Designated Biologist shall prepare a Covered Species Mortality Reduction and Relocation Plan and submit it to CDFW for review and approval a minimum of 14 working days prior to the beginning of Covered Activities. The Covered Species Mortality Reduction and Relocation Plan shall include, but not be limited to, a discussion and map of the portion of the Project Area which represents potential upland habitat; identification of the area within 1.3 miles of known or potential breeding habitat for Covered Species; detailed survey, capture, handling, and relocation methods; identification of relocation areas; required frequency and duration of compliance monitoring per the Compliance Monitoring Condition of Approval; and identification of a wildlife rehabilitation center or veterinary facility capable of treating injured animals. Covered Activities may not proceed until the Covered Species Mortality Reduction and Relocation Plan is approved in writing by CDFW. Designated Monitors are prohibited from capturing and handling the Covered Species unless specifically approved in writing by CDFW and under the direct supervision of the Designated Biologist(s). Any proposed changes to the CDFW-approved Covered Species Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed Covered Species Mortality Reduction and Relocation Plan modifications.</p>	ITP Condition #7.1	Before commencing ground- or vegetation-disturbing activities	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
9	<p><u>Flag and Map Burrows/Crevices</u>. During <u>Pre-Activity Clearance Survey and Reporting</u> Condition of Approval, the Designated Biologist(s) or approved Designated Monitor(s) shall flag and map the locations of all animal burrows and crevices suitable for CTS occupancy and accessible by humans within the Project Area including a 50-foot buffer outside those areas to alert work crews to their presence. An avoidance buffer of 50 feet or greater around animal burrows/crevices shall be maintained or burrows/crevices within the Project Area that cannot be avoided shall be fully excavated in accordance with the <u>Burrow/Crevise Excavation</u> Condition of Approval.</p>	ITP Condition #7.3	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
10	<p><u>Burrow/Crevise Excavation</u>. Prior to initiating Covered Activities within the Project Area, animal burrows and crevices identified during the <u>Pre-Activity Clearance Survey and Reporting</u> and <u>Flag Burrows/Crevices</u> Conditions of Approval, that are within the Project Area and cannot be avoided shall be fully excavated under the direction supervision of the Designated Biologist(s) based on the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. The Designated Biologist(s) shall relocate any live CTS discovered during burrow excavation in accordance with the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. Excavation shall occur no more than 14 days after the completion of the <u>Pre-Activity Clearance Survey and Reporting</u> Condition of Approval.</p>	ITP Condition #7.4	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
11	<p><u>Covered Species Exclusion Fencing</u>. Prior to initiation of Covered Activities and following surveying, flagging, and excavating burrows/crevices in accordance with <u>Pre-Activity Clearance Survey and Reporting</u>, <u>Flag Burrow/Crevices</u>, and <u>Burrow/Crevise Excavation</u> Conditions of Approval, Permittee shall install temporary exclusion fencing around the perimeter of the Project Area to prevent Covered Species from migrating into the Project Area. Alternatively, monitoring by the Designated Biologist(s) and/or Designated Monitor(s) shall occur during Covered Activities, according to the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. If used, the temporary exclusion fence shall be installed no later than 48 hours after the burrow and crevice excavation/salvage work is completed and before clearing and grading. If temporary exclusion fencing will be used, the Permittee shall submit a Covered Species Exclusion Fencing Plan to CDFW for review and written approval a minimum of 30 days prior to installation of temporary exclusion fencing. The Covered Species Exclusion Fencing Plan shall include the type of fencing material and detailed design (including maps) and installation methods, gate design and location, and inspection, maintenance, repair, and replacement methods and intervals. The Covered Species exclusion fence shall be buried a minimum of four inches below ground surface and shall be equipped with one-way exits to avoid entrapment of CTS and other amphibians or reptiles. The Permittee shall also avoid small mammal burrows by a minimum of 50 feet during the installation of the exclusion fencing or as approved in the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. Installation of temporary exclusion fencing and shall not proceed until the Covered Species Exclusion Fencing Plan has been approved in writing by CDFW.</p>	ITP Condition #7.5	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
12	<u>Exclusion Fencing Installation and Removal</u> . If temporary exclusion fencing is installed, the Designated Biologist(s) or Designated Monitor(s) shall accompany the temporary exclusion fence construction crew to ensure that CTS are not killed or injured during fence installation. The temporary exclusion fencing shall be supported sufficiently to maintain its integrity under all conditions such as wind and heavy rain for the duration of the Covered Activities. The Designated Biologist(s) or Designated Monitor(s) shall check the temporary exclusion fence at least once weekly during periods of inactivity to monitor for Covered Species that may need relocating according to the CDFW-approved Covered Species Mortality Reduction and Relocation Plan and to maintain/repair the fence as necessary to ensure its effectiveness. The temporary exclusion fence shall be removed immediately upon completion of Covered Activities.	ITP Condition #7.6	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
13	<u>Fieldwork Code of Practice</u> . To ensure that the Designated Biologist(s) does not convey disease between the Project Area and areas outside the Project Area, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force Fieldwork Code of Practice (see Attachment 2) shall be always followed. The Designated Biologist(s) may substitute a bleach solution (0.5 to 1.0 cup of bleach to 1.0 gallon of water) for the ethanol solution. The Designated Biologist(s) shall ensure that all traces of the disinfectant are removed before entering the next aquatic habitat.	ITP Condition #7.8	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
14	<u>Covered Species Credits</u> . Permittee shall purchase Covered Species credits to complete compensatory mitigation obligations. Permittee shall purchase 0.35 acres of Covered Species credits, identified as California tiger salamander upland credits, from a CDFW-approved mitigation or conservation bank prior to initiating Covered Activities and submit to CDFW a copy of the Bill of Sale(s) and Payment Receipt. Prior to purchase of Covered Species credits, Permittee shall obtain CDFW approval to ensure the mitigation or conservation bank is appropriate to compensate for the impacts of the Project.	ITP Condition #8.1	Before commencing ground- or vegetation-disturbing activities (or within 6 months of issuance of the ITP if Security is provided)	Permittee	
15	<u>Designated Biologist and Designated Monitor Authority</u> . To ensure compliance with the Conditions of Approval of this ITP, the Designated Biologist(s) and/or Designated Monitor(s) shall immediately stop any activity that does not comply with this ITP and/or order any reasonable measure to avoid the unauthorized take of an individual of the Covered Species. Permittee shall provide unfettered access to the Project Area and otherwise facilitate the Designated Biologist(s) and/or Designated Monitor(s) in the performance of his/her duties. If the Designated Biologist(s) and/or Designated Monitor(s) is unable to comply with the ITP, then the Designated Biologist(s) and/or Designated Monitor(s) shall notify the CDFW Representative immediately. Permittee shall not enter into any agreement or contract of any kind, including but not limited to non-disclosure agreements and confidentiality agreements, with its contractors and/or the Designated Biologist that prohibit or impede open communication with CDFW, including but not limited to providing CDFW staff with the results of any surveys, reports, or studies or notifying CDFW of any non-compliance or take. Failure to notify CDFW of any non-compliance or take or injury of a Covered Species as a result of such agreement or contract may result in CDFW taking actions to prevent or remedy a violation of this ITP.	ITP Condition # 5.3	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
16	<u>Construction Monitoring Documentation</u> . The Designated Biologist(s) and Biological Monitor(s) shall maintain construction-monitoring documentation on-site in either hard copy or digital format throughout the construction period, which shall include a copy of this ITP with attachments and a list of signatures of all personnel who have successfully completed the education program. Permittee shall ensure a copy of the construction-monitoring documentation is available for review at the Project Area upon request by CDFW.	ITP Condition # 5.5	Entire Project	Permittee	
17	<u>Dust Control</u> . Permittee shall implement dust control measures during Covered Activities to facilitate visibility for monitoring of the Covered Species by the Designated Biologist(s) and/or Designated Monitor(s). Permittee shall keep the amount of water used to the minimum amount needed and shall not allow water to form puddles. Permittee shall not apply dust suppressant, surfactant, soil binders, or stabilizer products that may be harmful to Covered Species. Permittee shall obtain written approval from CDFW before applying any dust suppressant (other than water), surfactant, soil binders, stabilizer products, hydro-mulch, or hydroseed. Permittee shall provide all available documentation of each product's safety or hazards to wildlife to CDFW with any such request for approval.	ITP Condition # 5.7	Entire Project	Permittee	
18	<u>Erosion Control Materials</u> . Permittee shall prohibit use of erosion control materials potentially harmful to Covered Species and other species, such as monofilament netting (erosion control matting) or similar material, in potential Covered Species' habitat.	ITP Condition # 5.8	Entire Project	Permittee	
19	<u>Project Access</u> . Project-related personnel shall access the Project Area for Covered Activities using existing routes and shall not cross Covered Species' habitat outside of, or en route to the Project Area. Permittee shall restrict Project-related vehicle traffic to established roads, staging, and parking areas as per the <u>Staging Areas</u> Condition of Approval. Permittee shall ensure that vehicle speeds do not exceed 15 miles per hour to avoid Covered Species on or traversing the roads. If Permittee determines construction of routes for Covered Activities for travel are necessary outside of the Project Area, the Designated Representative shall contact CDFW for written approval before carrying out such an activity. CDFW may require an amendment to this ITP, among other reasons, if additional take of Covered Species will occur as a result of the Project modification.	ITP Condition # 5.10	Entire Project	Permittee	
20	<u>Staging Areas</u> . Permittee shall confine all Project-related parking, storage areas, laydown sites, equipment storage, and any other surface-disturbing activities to previously disturbed areas. Additionally, Permittee shall not use or cross Covered Species' habitat outside of the marked Project Area. If Permittee determines parking, storage, laydown, or staging areas are necessary for Covered Activities outside of the Project Area in suitable habitat for Covered Species, the Designated Representative shall contact CDFW for written approval before carrying out such an activity. CDFW may require an amendment to this ITP, among other reasons, if additional take of Covered Species will occur as a result of the Project modification.	ITP Condition # 5.11	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
21	<u>Hazardous Waste</u> . Permittee shall immediately stop and, pursuant to pertinent state and federal statutes and regulations, arrange for repair and clean up by qualified individuals of any fuel or hazardous waste leaks or spills at the time of occurrence, or as soon as it is safe to do so. Permittee shall exclude the storage and handling of hazardous materials from the Project Area and shall properly contain and dispose of any unused or leftover hazardous products off-site.	ITP Condition # 5.12	Entire Project	Permittee	
22	<u>CDFW Access</u> . Permittee shall provide CDFW staff with reasonable access to the Project and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in this ITP.	ITP Condition # 5.13	Entire Project	Permittee	
23	<u>Refuse Removal</u> . Upon completion of Covered Activities, Permittee shall remove from the Project Area and properly dispose of all temporary fill and construction refuse, including, but not limited to, broken equipment parts, wrapping material, cords, cables, wire, rope, strapping, twine, buckets, metal or plastic containers, and boxes.	ITP Condition # 5.14	Entire Project	Permittee	
24	<u>Wildfire Avoidance</u> . Permittee or Permittee's contractors shall minimize the potential for human-caused wildfires by carrying water or fire extinguishers and shovels in all Project-related vehicles and equipment. The use of shields, protective mats, or use of other fire preventative methods shall be used during grinding and welding to minimize the potential for fire. Personnel shall be trained regarding the fire hazard for wildlife as part of the worker education program described in the <u>Education Program</u> Condition of Approval.	ITP Condition # 5.15	Entire Project	Permittee	
25	<u>Notification of Non-compliance</u> . The Designated Representative, Designated Biologist(s) and Designated Monitor(s) shall immediately notify CDFW if the Permittee is not in compliance with any Condition of Approval of this ITP, including but not limited to any actual or anticipated failure to implement measures within the time periods indicated in this ITP and/or the MMRP. The Designated Representative shall follow up within 24 hours with a written report to CDFW describing, in detail, any non-compliance with this ITP and suggested measures to remedy the situation.	ITP Condition # 6.2	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
26	<p><u>Record of Covered Species Handling</u>. The Designated Biologist(s) shall maintain a record of Covered Species handled and all documented observations of Covered Species. This information shall include for each animal: (1) date, time, and location (Global Positioning System (GPS) coordinates and maps) and capture and/or observation as well as release, if applicable; (2) the name of the party that identified the Covered Species; (3) circumstances of the incident; (3) the general condition and health, noting all visible conditions including gait and behavior, ectoparasites, injuries, etc.; (4) any diagnostic markings, sex, age (juvenile or adult); (5) actions undertaken; (6) habitat description; and (7) ambient temperature when handled and released or observed. The Designated Biologist shall also submit this information to CDFW's California Natural Diversity Database (CNDDDB) as per the <u>CNDDDB Observations</u> Condition of Approval. The Designated Biologist shall prepare a Relocation Summary and include it in the <u>Monthly Compliance and Annual Status Report</u> Conditions of Approval.</p>	ITP Condition # 6.4	Entire Project	Permittee	
27	<p><u>Monthly Compliance Report</u>. The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in <u>Compliance Monitoring and Record of Covered Species Handling</u> Conditions of Approval, the total number of nights worked according to the <u>Night Work</u> Condition of Approval, and a copy of the MMRP table with notes showing the current implementation status of each mitigation measure into a Monthly Compliance Report and for CDFW. Monthly Compliance Reports shall be submitted to the CDFW offices listed in the Notices section of this ITP and via e-mail to CDFW's Regional Representative and Headquarters CESA Program by the 7th calendar day following the reporting month. At the time of this ITP's approval, the CDFW Regional Representative is Grant Piepkorn (Grant.Piepkorn@wildlife.ca.gov), the Regional Office email is RRR.R4@wildlife.ca.gov, and Headquarters CESA Program email is CESA@wildlife.ca.gov. CDFW may at any time increase the timing and number of compliance inspections and reports required under this provision depending upon the results of previous compliance inspections. If CDFW determines the reporting schedule must be changed, CDFW will notify Permittee in writing of the new reporting schedule.</p>	ITP Condition # 6.5	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
28	<p><u>Annual Status Report</u>. Permittee shall provide CDFW with an Annual Status Report no later than January 31 of every year beginning with issuance of this ITP and continuing until CDFW accepts the Final Mitigation Report identified below. Each Annual Status Report shall include, at a minimum: (1) a summary of all Monthly Compliance Reports for that year identified in <u>Monthly Compliance Report</u> Condition of Approval; (2) a general description of the status of the Project Area and Covered Activities, including actual or projected completion dates, if known; (3) a copy of the table in the MMRP with notes showing the current implementation status of each mitigation measure; (4) an assessment of the effectiveness of each completed or partially completed mitigation measure in avoiding, minimizing and mitigating Project impacts; (5) all available information about Project-related incidental take of the Covered Species; (6) an accounting of the number of acres subject to both temporary and permanent disturbance, both for the prior calendar year, and a total since ITP issuance; and (7) information about other Project impacts on the Covered Species. Annual Status Reports shall be submitted via email to the entities identified in <u>Monthly Compliance Reports</u>, above.</p>	ITP Condition # 6.6	Entire Project	Permittee	
29	<p><u>CNDDDB Observations</u>. The Designated Biologist shall submit all observations of Covered Species to CDFW's California Natural Diversity Database (CNDDDB) within 60 calendar days of the observation and the Designated Biologist shall include copies of the submitted forms with the next Monthly Compliance Report or Annual Status Report, whichever is submitted first relative to the observation.</p>	ITP Condition # 6.7	Entire Project	Permittee	
30	<p><u>Notification of Take or Injury</u>. Permittee shall immediately notify the Designated Biologist if a Covered Species is taken or injured by a Project-related activity, or if a Covered Species is otherwise found dead or injured within the vicinity of the Project. The Designated Biologist or Designated Representative shall provide initial notification to CDFW by calling the Regional Office at (559) 243-4005 and by email to the CDFW Regional Representative. The initial notification to CDFW shall include information regarding the location, species, and number of animals taken or injured and the ITP Number. Following initial notification, Permittee shall send CDFW a written report within two calendar days. The report shall include the date and time of the finding or incident, location of the animal or carcass, photograph(s), if possible, explanation as to cause of take or injury, and any other pertinent information.</p>	ITP Condition # 6.9	Entire Project	Permittee	
31	<p><u>Pre-Activity Clearance Survey and Reporting</u>. No more than 14 days prior to starting Covered Activities, the Designated Biologist(s) shall survey the Project Area for individuals of Covered Species. These surveys shall provide 100 percent visual coverage (including burrow and crevice openings) of the Project Area and a 50-foot buffer zone around the Project Area. If any life stages (adults, eggs, or larvae) of Covered Species are found, the Designated Biologist(s) shall capture and relocate the Covered Species as per the CDFW-approved <u>Covered Species Mortality Reduction and Relocation Plan</u> Condition of Approval. The Permittee shall provide the survey results to CDFW in a written report prior to the beginning of Covered Activities.</p>	ITP Condition # 7.2	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
32	<u>Precipitation</u> . The Permittee shall monitor the National Weather Service 72-hour forecast for the Project Area. If a 70 percent or greater chance of rainfall is predicted within 72 hours, or if rainfall commences, Permittee shall cease all Covered Activities in all portions of the Project Area where Burrow/Crevice Excavation and CTS Exclusion Fencing Conditions of Approval have not yet been completed or if exclusionary fencing is not erected around the Project Area according to the <u>Covered Species Exclusion Fencing</u> Condition of Approval. Work may recommence 24 hours after the rain ceases and there is zero percent chance of precipitation in the 72-hour forecast. The Designated Biologist(s) and Designated Monitor(s) shall the Project Area before Covered Activities resume search for CTS and Designated Monitor(s) shall capture and relocate any that are discovered during the surveys according to the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. Covered Activities may continue during rainfall events if exclusion fencing has been installed in accordance with the CDFW-approved Covered Species Exclusion Fencing Plan.	ITP Condition # 7.7	Entire Project	Permittee	
33	<u>Covered Species Observations</u> . During all Covered Activities within the Project Area, all workers shall inform the Designated Biologist(s) if a Covered Species is observed within or near the Project Area. All work in the vicinity of the Covered Species, which could injure or kill the animal, shall cease immediately until the Covered Species moves from the Project Area of its own accord or is relocated by the Designated Biologist(s) in accordance with the CDFW-approved Covered Species Mortality Reduction and Relocation Plan.	ITP Condition # 7.9	Entire Project	Permittee	
34	<u>Open Excavation Inspection</u> . The Designated Biologist(s) and Designated Monitor(s) shall inspect all open holes, sumps, and trenches within the Project Area at the beginning, middle, and end of each day for trapped Covered Species. To prevent inadvertent entrapment of Covered Species, all open trenches, holes, sumps, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope shall have an escape ramp of earth or a non-slip material with a less than 1:1 (45 degree) slope. The Designated Biologist(s) and Designated Monitor(s) shall thoroughly inspect all trenches, holes, sumps, and other excavations for Covered Species (or other wildlife) before they are backfilled. If any worker discovers that Covered Species have become trapped, Permittee shall cease all Project-related activities in the vicinity and notify the Designated Biologist(s) immediately. Project workers, Designated Biologist(s), and Designated Monitor(s) shall provide the opportunity for the Covered Species to escape unimpeded out of the Work Area before allowing work to continue. Alternatively, if the Covered Species will not leave the Project Area unimpeded, the Designated Biologist(s) shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan.	ITP Condition # 7.10	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
35	<u>Materials, Vehicle and Equipment Inspection.</u> Workers shall thoroughly inspect all vehicles, construction materials, and other equipment that are stored for one or more overnight periods for the Covered Species before the object is subsequently moved, buried, or capped. If a Covered Species is present, the worker shall notify the Designated Biologist(s) and wait for the Covered Species to move unimpeded out of the Project Area. Alternatively, if the Covered Species will not leave the Project Area unimpeded, the Designated Biologist(s) shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan.	ITP Condition # 7.11	Entire Project	Permittee	
36	<u>Stockpiles.</u> Permittee shall ensure that soil stockpiles are placed where soil shall not pass into potential Covered Species breeding habitat, or into any "Waters of the State," including streams that traverse the Project Area, in accordance with Fish and Game Code section 5650. Permittee shall appropriately protect stockpiles to prevent soil erosion.	ITP Condition # 7.12	Entire Project	Permittee	
37	<u>Herbicide Use.</u> Permittee shall not use herbicides at any time during Project Activities (including plant establishment) unless the Designated Biologist(s) or an approved Designated Monitor(s) surveys the application area and determines that Covered Species are not present. Permittee shall ensure that all herbicide use (mixing, application, and clean-up) is done by a licensed applicator in accordance with all applicable State, federal, and local regulations. Permittee shall only apply herbicide sprays via ground application when wind speed measures less than three miles per hour. Permittee shall ensure that great care is taken to avoid herbicide outside the boundaries of the Project Area. All herbicide sprays utilized within the Project Area shall contain a dye to prevent overspray.	ITP Condition # 7.13	Entire Project	Permittee	
38	<u>Avoid Introduction of Herbicides into Waters.</u> Permittee shall ensure herbicide mixing occurs within the Project Area where there is no potential of a spill reaching waters at and near the Project Area. Permittee shall ensure that any herbicide used where there is the possibility that the herbicide could come into direct contact with water is approved for use in an aquatic environment.	ITP Condition # 7.14	Entire Project	Permittee	
39	<u>Covered Species Injury.</u> If a Covered Species is injured as a result of Project-related activities, the Designated Biologist(s) shall immediately take it to a CDFW approved wildlife rehabilitation or veterinary facility. Permittee shall identify the facility before starting Covered Activities. Permittee shall bear any costs associated with the care or treatment of such injured Covered Species. The Permittee shall notify CDFW of the injury to the Covered Species immediately by telephone and e-mail followed by a written incident report as described in the <u>Notification of Take or Injury</u> Condition of Approval. Notification shall include the date, time, location, and circumstances of the incident and the name of the facility where the animal was treated. If Covered Species is found deceased, the Designated Biologist(s) shall immediately collect, bag, and freeze the carcass and consult with CDFW to determine if submittal of the carcass to a laboratory is warranted.	ITP Condition # 7.15	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
POST-CONSTRUCTION					
40	<p><u>Final Mitigation Report</u>. No later than 45 days after completion of all mitigation measures, Permittee shall provide CDFW with a Final Mitigation Report. The Designated Biologist shall prepare the Final Mitigation Report which shall include, at a minimum: (1) a summary of all Monthly Compliance Reports and all Annual Status Reports; (2) a copy of the table in the MMRP with notes showing when each of the mitigation measures was implemented; (3) all available information about Project-related incidental take of the Covered Species; (4) information about other Project impacts on the Covered Species; (5) beginning and ending dates of Covered Activities; (6) an assessment of the effectiveness of this ITP's Conditions of Approval in minimizing and fully mitigating Project impacts of the taking on Covered Species; (7) recommendations on how mitigation measures might be changed to more effectively minimize take and mitigate the impacts of future projects on the Covered Species; and (8) any other pertinent information.</p>	ITP Condition # 6.8	Post-construction	Permittee	

Attachment 2



Department of Fish and Wildlife

BIOLOGIST RESUME COVER SHEET

SUBMIT EACH RESUME AS A SEPARATE DOCUMENT

Number of Resumes Included in Transmittal: _____

Name	Requested Role(s) ¹	Species/Resource(s)

¹ Requested roles correspond to the biological staffing requirements indicated in the Lake and Streambed Alteration (LSA) Agreement or California Endangered Species Act Incidental Take Permit (ITP). Roles may include a “Qualified Biologist” or “Designated Biologist” with the necessary experience to survey for special status species, or a “Biological Monitor” with the necessary experience to monitor construction activities for special status species. An individual may request more than one role.



Department of Fish and Wildlife

BIOLOGIST RESUME FORM

This form requests information about the qualifications of the Qualified Biologist, Designated Biologist and Biological Monitor specified in California Endangered Species Act Incidental Take Permits (ITP) and Lake or Streambed Alteration (LSA) Agreements issued by California Department of Fish and Wildlife (CDFW).

Completing this form will ensure the receipt of adequate information and expedite CDFW review of qualifications.

SECTION I. NAME AND CONTACT INFORMATION

Name:		Title:	
Company Name & Address:		Phone:	
		Email:	

SECTION II. EDUCATION

College/University & Degree Type Related to Natural Resource Science:	
Other Relevant Workshops & Training:	

SECTION III. ROLE(S) AND PERMIT REQUIREMENTS

Requested Role(s):	
Relevant LSA Agreement Measures or ITP Conditions ² :	

SECTION IV. SPECIES AND RESOURCE EXPERIENCE – SUMMARY

This section summarizes experience by special status species and other resource. Use one row for each species or other resource where surveys or special protections are required in the CESA ITP or LSA Agreement for which biologist approval is requested.³ If more space is needed, add rows to this table. Provide details in Section 5.

Species or Resource	Number of Field Seasons & Hours, Life Stages Observed <i>Provide project details in Section 5</i>	Life History Knowledge <i>Describe formal workshops & training with dates, or informal training details</i>	CDFW SCP, MOU, & USFWS 10a1a Authorization Number & Authorized Activities <i>This form does not fulfill SCP, MOU, & USFWS 10a1a reporting requirements</i>
Insert Species or Resource 1	Field seasons: Hours: Life Stages:		Issued to: Expiration: Agency contact:
Insert Species or Resource 2	Field seasons: Hours: Life Stages:		Issued to: Expiration: Agency contact:
Insert Species or Resource 3	Field seasons: Hours: Life Stages:		Issued to: Expiration: Agency contact:

² List all measures and conditions from the LSA Agreement or ITP requiring biological staff (i.e., Qualified Biologist, Designated Biologist, or Biological Monitor).

³ Often LSA Agreements/ITPs require surveys and other protections for multiple species and other resources. Include only those for which the biologist has experience and is requesting approval.

SECTION V. SPECIES AND RESOURCE EXPERIENCE – DETAILS

This section details experience from the three most recent and relevant projects for each species and resource identified in Section 4. If more space is needed, attach additional pages in the same table format (i.e., copy/paste format).

A. Species or Resource:			
Project 1 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s) ⁴ :	
Survey Type(s) ⁵ :		Construction Monitoring ⁶ :	Days: Activities:
Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB ⁷ (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Project 2 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s):	
Survey Type(s):		Construction Monitoring:	Days: Activities:
Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Project 3 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s):	
Survey Type(s):		Construction Monitoring:	Days: Activities:

⁴ Insert the role as described in the associated LSA Agreement, ITP or other agency permit. If these permits were not issued, describe the role based on the duties, e.g., “lead biologist with handling authorization” or “biological monitor.”

⁵ For example, pre-construction survey or description of the protocol or guideline followed.

⁶ Include the number of days and describe the types of activities monitored (e.g., heavy equipment operation).

⁷ CNDDDB is the abbreviation for California Natural Diversity Database.

**Project Name:
LSA Agreement/ITP Number(s):**

Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Additional Information:			

B. Species or Resource:			
Project 1 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s):	
Survey Type(s):		Construction Monitoring:	Days: Activities:
Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Project 2 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s):	
Survey Type(s):		Construction Monitoring:	Days: Activities:
Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Project 3 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s):	
Survey Type(s):		Construction Monitoring:	Days: Activities:

**Project Name:
LSA Agreement/ITP Number(s):**

Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Additional Information:			

C. Species or Resource:			
Project 1 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s):	
Survey Type(s):		Construction Monitoring:	Days: Activities:
Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Project 2 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s):	
Survey Type(s):		Construction Monitoring:	Days: Activities:
Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Project 3 Name & Location:		Project Start & End Dates:	
LSA Agreement, ITP, or Other Agency Permit Number:		Role(s):	
Survey Type(s):		Construction Monitoring:	Days: Activities:

Project Name:
LSA Agreement/ITP Number(s):

Species Life Stages Observed & Handled, Number of Each:	Life Stage: Number Observed: Number Handled: Reported to CNDDDB (Y/N):	Company Name, Professional Reference Name, Phone, Email:	
If <u>not</u> reported to CNDDDB, why:			
CDFW and Other Agency Email:			
Additional Information:			

Attachment 3

Attachment 3

The Declining Amphibian Task Force Fieldwork Code of Practice

A code of practice, prepared by the Declining Amphibian Task Force (DAPTF) to provide guidelines for use by anyone conducting field work at amphibian breeding sites or in other aquatic habitats. Observations of diseased and parasite-infected amphibians are now being frequently reported from sites all over the world. This has given rise to concerns that releasing amphibians following a period of captivity, during which time they can pick up unapparent infections of novel disease agents, may cause an increased risk of mortality in wild populations. Amphibian pathogens and parasites can also be carried in a variety of ways between habitats on the hands, footwear, or equipment of fieldworkers, which can spread them to novel localities containing species which have had little or no prior contact with such pathogens or parasites. Such occurrences may be implicated in some instances where amphibian populations have declined. Therefore, it is vitally important for those involved in amphibian research (and other wetland/pond studies including those on fish, invertebrates and plants) to take steps to minimize the spread of disease and parasites between study sites.

1. Remove mud, snails, algae, and other debris from nets, traps, boots, vehicle tires and all other surfaces. Rinse cleaned items with sterilized (e.g. boiled or treated) water before leaving each study site.
2. Boots, nets, traps, etc., should then be scrubbed with 70% ethanol solution (or sodium hypochlorite 3 to 6%) and rinsed clean with sterilized water between study sites. Avoid cleaning equipment in the immediate vicinity of a pond or wetland.
3. In remote locations, clean all equipment as described above upon return to the lab or "base camp". Elsewhere, when washing machine facilities are available, remove nets from poles and wash with bleach on a "delicates" cycle, contained in a protective mesh laundry bag.
4. When working at sites with known or suspected disease problems, or when sampling populations of rare or isolates species, wear disposable gloves and change them between handling each animal. Dedicate sets of nets, boots, traps, and other equipment to each site being visited. Clean and store them separately and the end of each field day.
5. When amphibians are collected, ensure the separation of animals from different sites and take great care to avoid indirect contact between them (e.g. via handling, reuse of containers) or with other captive animals. Isolation from un-sterilized plants or soils which have been taken from other sites is also essential. Always use disinfected/disposable husbandry equipment.
6. Examine collected amphibians for the presence of diseases and parasites soon after capture. Prior to their release or the release of any progeny, amphibians should be quarantined for a period and thoroughly screened for the presence of any potential disease agents.
7. Used cleaning materials (liquids, etc.) should be disposed of safely and if necessary taken back to the lab for proper disposal. Used disposable gloves should be retained for safe disposal in sealed bags.