



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

California Endangered Species Act
Incidental Take Permit No. 2081-2024-013-04

**CALIFORNIA AQUEDUCT MILEPOST 230.6 To 231.4
STUDY DESIGN REPAIR PROJECT**

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) and (c). (See Cal. Code Regs., tit. 14, § 783.4.)

Permittee:	California Department of Water Resources (DWR)
Principal Officer:	Gerald Snow, Environmental Assessment Branch Manager Gerald.Snow@water.ca.gov
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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 **December 31, 2031**.

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 the Permittee's Final Mitigation Report required by the Final Mitigation Report Condition of Approval of this ITP.

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.

III. Project Location:

The California Aqueduct Milepost 230.6 To 231.4 Study Design Repair Project (Project) is located approximately four miles south of community of Buttonwillow in Kern County, California (Figure 1). The Project is specifically located within the Elk Hills East United States Geological Survey 7.5-minute topographic quadrangle map extending from Township 30 South, Range 23 East, Sections 1 and 12, Mount Diablo Base and Meridian (MDBM) at latitude 35.341474°N and longitude -119.453359°W to Township 30 South, Range 24 East, Section 7, MDBM at latitude 35.339135°N and longitude -119.445866°W (Figure 2).

IV. Project Description:

The Project consists of modifications to State Water Project infrastructure to investigate, design, and repair the California Aqueduct (Aqueduct) between Milepost (MP) 230.6 and 231.44 to address the unstable soils in the area and secure the surrounding infrastructure. The Project includes the following components: geotechnical investigations, embankment reinforcement and restoration, liner repair and raise, and monitoring well station installation.

Geotechnical Investigations

Geotechnical investigations utilizing a variety of survey methods will occur to determine soil behavior types, weak areas, and soil moisture contents in the Project footprint (Figure 3). The geotechnical exploration drilling results will be used to identify and analyze subsurface conditions and determine the best repair method for the Project. If necessary, additional investigations will be added to the same investigation effort if data collection is insufficient.

Surficial geophysical surveys consisting of six electronic resistivity (ER) lines will be used to identify potential subsurface water paths in the Project footprint. ER survey lines are tentatively located on the east and west Aqueduct embankment crests and beyond the toe of the east and west canal embankments. The ER lines consist of 10-inch-long electrodes embedded in the ground attached to a receiver cable. A low-voltage electrical current is transmitted into the ground for about a second and received by the electrodes to plot a map of high and low resistivity areas.

Standard and seismic cone penetrometer testing (CPT) will be conducted at approximately 86 sites centered around MP 230.75 and MP 231.3 on both sides of the Aqueduct. CPTs will be performed utilizing a truck-mounted rig with a 32-foot long by 8.5-foot wide footprint or a track-mounted rig with a 20-foot long by 9-foot wide rig. Standard CPTs will be approximately 40 to 60 feet deep through the embankment and approximately 20 to 30 feet deep beyond the embankment toe. Approximately two sites will be increased to 100-foot seismic CPTs to measure compression and shear wave velocities in the embankment and underlying foundation materials.

Pore pressure dissipation tests may be conducted during the CPTs when granular materials are suggested by the collected data. The test will only be conducted when the estimated groundwater levels are found to be significantly higher than the granular material. Approximately three CPT holes may be selected for conversion to temporary groundwater observation wells to monitor water levels in the embankment during and after repairs. The

CPT holes that do not have groundwater monitoring wells installed in them will be tremie backfilled with cement-bentonite grout. The CPT results will be used to identify sites for more extensive exploration using hollow stem auger (HSA) drilling or trenching.

Up to 18 HSA drill holes and three trench explorations may be used with the exact locations of these methods determined in the field around MPs 230.75 and 231.3. HSA drill holes will utilize a truck- or track-mounted drill rig with similar dimensions as the CPT rigs to advance a six to eight-inch diameter HSA to a maximum depth of 60 feet, with approximately six holes reaching a maximum of 100 feet. While drilling, soil samples at discrete depths will be periodically collected and tested. Spoils from HSA boreholes will be collected, drummed, and transported off site for landfill disposal or stockpiled for use during construction. All boreholes will be tremie backfilled immediately with a cement-bentonite grout mix except the top two feet will be filled with native soil.

Up to ten test pits will be excavated within the Project footprint just prior to commencing the repair phase of the Project. Test pits will be excavated that are three feet wide by 20 feet long by 15 feet deep. Excavated material will be temporarily stockpiled adjacent to the test pit and used to backfill. After the investigation is completed, the test pit will be backfilled and compacted with the excavator bucket, returning the area to its original grade. Eight test pits are proposed to be located on the east side and two on the west side of the Aqueduct.

Embankment Repair

The following are alternatives to repair the hydrologic embankments and secure the Aqueduct prism: grouting; deep soil mixing; and a cut-off wall (Figure 4). The alternative that will ultimately be used will be determined by the geotechnical analysis. The total project footprint is approximately 1.44 miles long while the total repair length is approximately 1.18 miles and includes both sides of the Aqueduct.

Grouting

The grouting alternative will be a combination of compaction grouting and high mobility grouting (HMG). HMG grouting will be used for the embankment, and compaction grouting will be used as an outer curtain for stability. Both are ground modification techniques where mixtures of cement, water, aggregate (for compaction grouting), and additives (bentonite, viscosity modifiers and stabilizers for HMG) are injected into the ground. A combination of HMG and compaction grouting is being considered along the east and west sides of the Aqueduct. The purpose of the grouting is to strengthen the soil with compaction grouting and fill open voids with HMG.

At the start of construction, injection pipes will be driven into the ground using an air-track rig or drilled using a hollow stem auger drill rig. The injection pipes for HMG will have a minimum one-inch diameter and the injection pipes for compaction grouting will have a minimum three-inch diameter. The pipes will be split-spaced at 8-foot spacing for primary holes, followed by secondary and tertiary holes as needed.

Grout will be mixed on site in high shear colloidal mixing tanks. The grout will then be injected into the soil using the pipes. Pipes will be removed once grout is in place. This will result in an increase in soil strength, and a decrease in permeability by multiple orders of magnitude.

Deep Soil Mixing

The deep soil mixing (DSM) alternative will mix soil with cement through the embankment. The DSM area will run parallel to the Aqueduct and will be 3 feet wide within the center of the embankment on the east side. DSM will increase the strength and decrease the permeability of the soil, creating a seepage cutoff wall. DSM is only proposed on the east embankment of the Aqueduct. HMG will be used on the west side of the Aqueduct.

A crane or excavator mounted with multiple three-foot diameter augers will be placed on the embankment to mix cement with the soil in-situ to create a grid of improved soil. Cement will be imported from off site and batched and mixed on site. The process will involve drilling down approximately 35 to 40 feet from the operating road while using the multi-auger system to thoroughly mix the soil with water, then cement will be injected directly into the soil at the tip of the augers as a slurry. After allowing the soil-cement mixture to set, cores will be taken to confirm the strength and permeability of the material. The embankment will be rebuilt as needed, back to design elevations once the soil amendment is complete.

Cut Off Wall

The cut off wall alternative will install a cut off wall through the center of the embankment crest. The cut off wall will decrease the seepage through the embankment while not decreasing the permeability of the surrounding soil. Installation of a cut off wall is only proposed on the east embankment of the Aqueduct. HMG will occur on the west side of the Aqueduct.

The existing embankment will be degraded by 3 to 6 feet to create a working platform width of 40 feet to construct the wall. Degraded material will be stockpiled on the slope and toe of the embankment for reconstruction of the embankment when complete. An approximately 30-foot by 3-foot-wide trench will be excavated and filled with a bentonite slurry. The bentonite slurry will be mixed on site before being pumped into the trench. A primary mixing pond approximately 20 feet long by 20 feet wide surrounded by approximately 3-foot-high constructed earthen berms will be created adjacent to the embankment.

The bentonite slurry serves to stabilize the trench during the excavation process. The slurry is also used in the construction of the cutoff wall and is mixed with existing soils both in the trench and a secondary mixing pond. The secondary mixing pond would be created parallel to the trench along the degraded embankment. The width of this pond would be up to 20 feet, and the length would be equal to length of trench excavated during that work period. Using an excavator, the excavated soil would be mixed with three to six percent of dry bentonite by weight to create a semi-fluid material.

The secondary mixing pond is used to continue the mixing process and create the proper consistency of soil and bentonite. Once the proper consistency is met, it is placed back in the

trench using the excavator. The cutoff wall is then monitored for settling through the curing process. Once the wall is complete, the degraded embankment would be rebuilt to its original design. If additional soil is needed, it will be imported from a clean source off site.

Aqueduct Liner Repairs

The Aqueduct concrete liner will be raised approximately two feet for the entire length of the proposed footprint on both sides of the Aqueduct. The liner raise will restore the necessary height for the required freeboard for the Aqueduct to operate. To accommodate the placement of the additional concrete, existing guardrails, road delineators, hand railings and other features will be removed and salvaged for reuse on-site, if possible. All liner raise construction activities will be completed above the Aqueduct water level at the waterside embankment.

Additional work on the waterside embankment will depend on the embankment repair method used. If the crown of the embankment is not degraded and rebuilt, then the existing embankment on the waterside will require fortification. The embankment will be excavated a minimum of 6 feet laterally, rebuilt, and re-compacted prior to placing the new concrete liner. Approximately 1,400 cubic yards of clean imported material will be used to build up the embankment slope to match the existing liner slope.

After the embankment repairs are finished, the concrete placement will start. The existing concrete liner, above the surface water, will be cleaned by power washing to remove any debris prior to new concrete placement. Concrete forms will be built on the embankment and water-stops placed for the concrete pour along the embankment slope. Approximately 100 cubic yards of concrete will be imported, and a pump truck used to place the concrete in front of a slip form screed. The slip form screed will be pulled up the slope to finish the concrete.

Polyvinyl chloride (PVC) water-stop material will be installed at expansion and contraction joints, and strip water-stop material installed at longitudinal construction joints prior to concrete placement using hand tools. Concrete placement curing compound will be applied on the new concrete surface using a spray nozzle per manufacturer recommendations and allowed to cure for approximately two days. After curing, joints will be cleaned by sandblasting to remove all mortar, scale, soil, foreign materials, and curing compound. Sealant primer and polyurethane-type joint sealant will be hand placed in all joints. Joint sealant will be approximately 0.25- to 0.5-inch thick, applied to ensure full contact with the joint walls and to remove air entrapment.

After the completion of the embankment repairs, surrounding liner panels will be inspected by a dive team to identify additional liner repair needs. Liner damage has already been observed on the east side of the Aqueduct at MP 231.25. If repairs are necessary, the divers will inject grout directly into any problem areas or openings from within the Aqueduct prism. An additional option may be the use of concrete revetment or geomembrane material that will fortify the liner.

Monitoring Well Station Installation

A monitoring well station will be installed to provide real-time data for monitoring groundwater levels and other spatial information as they relate to ground subsidence in the area.

Installation will involve drilling two holes below the ground surface within the right-of-way to depths of about 700 feet, and diameters of 10 to approximately 24 inches. Depths and diameters of drill holes are contingent to the infrastructure installed such as the number of wells nested within the hole. A 250-foot by 60-foot area with a 40-foot wide access ramp will be used in the existing staging area for well installation. The dimensions of the completed well pad will be approximately 4 feet by 4 feet with a well-head monument height of approximately 3 feet above existing ground surface. The well pad will be surrounded by concrete-filled bollards at each corner (Figure 5).

Continuous GPS (cGPS) equipment will be installed as part of the monitoring well station. Installation includes using a limited-access drill rig (LAR) to drill a total of six, 6-inch diameter holes. Five holes are drilled to install the cGPS antenna, and one hole for the telemetry/solar panel installation. The antenna installation drillholes are to depths of 35 feet. The stabilization drill holes extend radially out from the centered hole at 90-degree intervals. The cGPS antenna and telemetry/solar panel installations are set approximately 50 feet apart and require an approximately 1-foot-wide and 3-foot-deep excavated trench for a wiring conduit. The trench will be backfilled with excavated soils.

All monitoring equipment will be powered by solar and no new diesel-powered equipment will be required for project operations. Throughout the Project, water for dust suppression may be pumped from the Aqueduct. If that source of water is insufficient, another source will be arranged for water to be brought to the Project site from local water supplies.

Drill cuttings and spoils will be collected in roll-off bins or 55-gallon drums, dependent on volume, and removed from site for disposal. A cuttings pit may be excavated in an approximate 50-foot by 20-foot area, and the pit will be sloped until it reaches a 4-foot depth. The cuttings pit will be placed in the immediate drilling area but offset enough from the drill rig to provide space for equipment to access it. If the cuttings pit is constructed, it will be backfilled with the same material used to construct the pit berms at the time of its excavation. Drilling fluids (water and drill mud), if used, will be contained in tanks for later removal from site. Waste generated by construction activities will be contained within the immediate drilling area. All supplies and unused materials will be removed from the site after completion of drilling and installation activities. The cuttings pit, if constructed, will be backfilled with the same material used to construct the pit berms at the time of excavation.

The Project footprint once the installation is complete will be reduced as much as possible to approximately 50 feet by 80 feet with a 20-foot-wide access road. This area will remain graveled for ongoing access to the site, but the stabilizing material such as gravel will be removed outside the permanent footprint. A security fence may also be installed within the permanent footprint to protect the equipment.

Road Repair and Site Restoration

Access roads will be repaired or repaved including patching isolated damaged areas or the placement of aggregate base, compaction, and laying asphalt or chip seal. At the completion of the embankment repair, any installation features, such as mixing ponds or batch stations will be deconstructed or removed from the site, and the site will be returned to pre-construction conditions. Reseeding will occur in any areas of ground disturbance to prevent erosion and promote habitat restoration to attain preconstruction conditions. All excess material will be hauled off site and disposed of properly.

Access and Staging

Access to the site will utilize existing roads. From the community of Buttonwillow, access to the Aqueduct will utilize Mirasol Avenue, Brite Road, and Buttonwillow Drive (Figure 2). The existing Aqueduct access roads from Buttonwillow Drive will be used to access the Project area. This will be the ingress and egress for all construction-related traffic. Within the Project area, designated routes will be established to access the right-of-way for geotechnical investigations and site preparation. Routes will be limited to established roads to the greatest extent possible.

Equipment

Equipment is anticipated to include drill rigs (truck- and/or track-mounted drill rigs, mud rotary drill rigs, piling/drilling rigs, hollow stem auger drill rigs, air-track rigs, and limited-access drill rigs), support rigs, auger continuous mixers, high shear colloidal mixing tanks, concrete trucks, concrete pump trucks, excavators, backhoes, cranes, dozers, dump trucks, haul trucks, transfer trucks, loaders, water trucks, asphalt paving machine, smooth drum roller, roller compactors, dive support vehicle, and grout washout bins, and support equipment including support trucks, forklifts, skid-steer loaders, flatbed trucks, personnel trucks, generators, equipment trailers, shaker table, 20-yard bins, CONEX container(s), and portable toilets with wash stations. Vehicles and equipment will be staged within the Project Area for the duration of the Project. Visqueen, plastic sheeting, or something similar, will be placed on the ground prior to setting up the drill rigs and support equipment to contain potential leaks (e.g., fuel and hydraulic). Equipment may differ somewhat once the exact mode of repair is determined after the geotechnical investigation findings have been analyzed.

Construction Schedule

The Aqueduct flow and water levels will be operated normally or temporarily reduced to accommodate embankment repair and any liner repairs necessary. Geotechnical investigations, specifically drilling, are anticipated to take approximately six weeks to complete and are anticipated to begin in early 2026. Test pits will be part of the construction phase of the project.

Data collected from geotechnical drillings will be used for designing the embankment and liner repairs. Construction activities for the embankment and liner repairs are anticipated to begin in 2029 and take approximately seven months to complete. Monitoring well installation will begin immediately after completed repairs and conclude within three months.

The site will be regraded and returned to pre-project conditions. Access roads will remain to facilitate future sampling and maintenance of monitoring stations. Any remaining stockpiles or materials will be removed from the site. Construction activities will be limited to the hours of 6:00 a.m. to 6:00 p.m., Monday through Friday to the greatest extent possible. Approximately five construction workers are expected during geotechnical investigations, maximum of 20 construction workers are expected during the embankment and liner repairs, and approximately six to eight construction workers are anticipated to be required during monitoring station installation.

In total, the Project will occur within an area of approximately 29.83 acres, however, there are areas of overlapping Project components. Therefore, the total area of Project disturbance is 18.61 acres (Figure 5). The land cover types within the 18.61 areas are as follows: 8.09 acres are allscale scrub, 2.08 acres are non-native grassland, mustards, and other ruderal vegetation, 1.48 acres are California matchweed patches, 1.45 acres are the waterside slope, the dirt slope above the water surface of the Aqueduct, 1.55 acres are the landside slope, earthen slope/embankment on the east side of the Aqueduct, 0.14 acre are the berm waterside, the berm on the west side of the Aqueduct, and approximately 3.82 acre is hard, compacted soil areas, graveled areas, paved and graveled access roads, and a developed storage yard (Figure 6).

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. Giant kangaroo rat (<i>Dipodomys ingens</i> , GKR)	Endangered ⁴
2. Tipton kangaroo rat (<i>Dipodomys nitratoide nitratoide</i> , TKR)	Endangered ⁵
3. San Joaquin antelope squirrel (<i>Ammodontomys nelsoni</i> , SJAS)	Threatened ⁶
4. San Joaquin kit fox (<i>Vulpes macrotis mutica</i> , SJKF)	Threatened ⁷

These species and only these species are the “Covered Species” for the purposes of this ITP.

VI. Impacts of the Taking on Covered Species:

Project activities and their resulting impacts are 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: removing vegetation; clearing; grading; installing and testing electronic resistivity (ER) lines; standard and seismic cone penetrometer testing; Pore pressure dissipation testing; drilling holes; trenching; excavating; stockpiling soil; injecting grout and concrete; deep soil mixing; installing cut-off wall; pouring

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. (a)(6)(C).

⁵See *Id.*, subd. (a)(6)(D).

⁶See *Id.*, subd. (b)(6)(B).

⁷See *Id.*, subd. (b)(6)(E).

concrete; repairing embankment; installing PVC water-stop material; applying concrete curing compound, primers, and sealants; installing concrete revetment or geomembrane material; importing clean soil; creating well pad; installing concrete-filled bollards; installing monitoring well station equipment; spraying water for dust suppression; backfilling and compacting soil; removing spoils, waste, and supplies; repairing and repaving access roads; heavy equipment operation; staging and storing materials and equipment; transporting construction materials and other Project-related traffic; site recontouring; revegetating/reseeding; other activities described in the Project Description section of this ITP; installing and removing temporary exclusion fencing; and surveying, capturing, handling, and relocation of Covered Species as required by this ITP (Covered Activities).

Incidental take of individuals of the Covered Species in the form of mortality ("kill") may occur as a result of Covered Activities such as burrow and den collapse that results in crushing or suffocation of underground individuals during vegetation removal, blading, excavation, and compaction; entombment of individuals from deposition of stockpiled material, or spoils over occupied burrows and dens; entrapment and burial within uncovered excavations; crushing by equipment; corralling/capturing Covered Species into a confined area with no escape; vehicle/equipment strikes from Project-related traffic; and noise, electrical current, and ground vibration that could cause individuals to leave burrows and dens at inappropriate times increasing stress, overheating, and exposure to predation. Incidental take of individuals of the Covered Species in the form of pursue, catch, capture may also occur as a result of the Covered Activities through entrapment in trenches and excavations, uncovering Covered Species through the excavation of burrow and den systems, by corralling Covered Species into a confined area when barrier fencing is constructed around the Project Area, and with implementation of other take minimization measures as required by this ITP. The areas where authorized take of the Covered Species is expected to occur include the four distinct Work Areas (defined as the discrete zones within the Project Area where Covered Activities will actively occur) where each of the Project components (geotechnical investigations, embankment reinforcement and restoration, liner repair and raise, and monitoring well station installation) will occur and the access roads used to ingress and egress the workspace (collectively, the Project Area).

The Project is expected to cause the permanent loss of 0.13 acre and the temporary loss of 14.66 acres of habitat that provides foraging, dispersal, potential breeding, and refugia habitat for the Covered Species. Covered Species may disperse across the 3.82-acre hard, compacted soil areas, graveled areas, access roads and developed areas, which may be disrupted while Project activities are occurring, but these areas do not provide other habitat values for the Covered Species. Authorized take of the Covered Species is expected to occur throughout the entire Project Area. Impacts of the authorized taking also include adverse impacts to the Covered Species related to temporal losses, increased habitat fragmentation and edge effects, and the Project's incremental contribution to cumulative impacts (indirect impacts). These impacts include: stress resulting from noise and vibrations from ground disturbance, equipment operation, and traffic; increased exposure or stress from disorientation; loss or decline of habitat resulting from introduction or spread of invasive

species; displacement from preferred habitat; loss of foraging habitat/food supply through changes in prey abundance (starvation); changes in drainage patterns that favor different vegetative growth; loss of soil moisture; increased soil compaction; exposure to increased pollution, contaminants, pathogens, and hazardous materials (pesticides, vehicle and equipment fuels and fluids); visual disturbance; increased competition for food and space; loss of burrows and dens used for shelter, reproduction, and escape cover; barriers and increased travel distance to foraging habitat (decreased reproductive output, energetic expenses, exposure to predation and elements); increased human activity which could result in a reduction in prey abundance and/or availability; and increased vulnerability to disease and predation.

Long-term effects from noise and vibration could cause physiological and/or behavioral disruptions that may interfere with breeding, result in burrow and den abandonment, and a loss of fitness in dependent young resulting from interruptions to feeding schedules, due to impaired or interrupted foraging and burrowing/denning behavior and because forage acquired further away from the natal burrow or den is more energetically expensive for parents acquiring food for their dependent young. 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 the 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.

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. California Environmental Quality Act (CEQA) Compliance:** Permittee shall implement and adhere to the mitigation measures related to the Covered Species in the Biological Resources section of the California Aqueduct Milepost 230.6 To 231.4 Investigation, Design, And Repair Project Mitigated Negative Declaration and Initial Study (IS/MND) (SCH No.: 2022030757) adopted by DWR on 28 July 2022 and the California Aqueduct

Incidental Take Permit
No. 2081-2024-013-04
CALIFORNIA DEPARTMENT OF WATER RESOURCES
CALIFORNIA AQUEDUCT MILEPOST 230.6 TO 231.4
STUDY DESIGN REPAIR PROJECT

Subsidence And Groundwater Monitoring Project IS/MND (SCH No.: 2024060966) adopted by DWR on 26 September 2024 as lead agency for the Projects pursuant to CEQA (Pub. Resources Code, § 21000 et seq.).

- 3. Endangered Species Act (ESA) Compliance:** Permittee shall implement and adhere to the terms and conditions related to the Covered Species in any Habitat Conservation Plan and federal take authorization issued for the Project pursuant to the Federal ESA. For purposes of this ITP, where the terms and conditions for the Covered Species in the federal authorization are less protective of the Covered Species or otherwise conflict with this ITP, the conditions of approval set forth in this ITP shall control.
- 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) and Designated Monitor(s).** Permittee shall submit to CDFW in writing the name, qualifications, business address, contact information, and references with contact information of Designated Biologist(s) and Designated Monitor(s) using the Biologist Resume Example (Attachment 2) or another format containing the same information. Permittee shall review qualifications before submission and ensure that the Designated Biologist(s) and Designated Monitor(s) are knowledgeable and experienced in Covered Species' biology and natural history. Permittee shall provide to CDFW the Designated Biologist's experience with collecting, handling, and excavating burrows to minimize mortality of GKR, TKR, and SJAS, as well as experience with monitoring, eviction, and excavation of dens being used by SJKF, and monitoring construction activities following the Conditions of Approval of an ITP for the Covered Species.

CDFW may approve Designated Biologist(s) for one, some, or all Covered Species in this ITP. For example, CDFW may approve a Designated Biologist to implement all Conditions of Approval for GKR and TKR, approve a Designated Biologist to implement all Conditions of Approval for SJKF only, or approve a Designated Biologist to implement all Conditions of Approval for all Covered Species in this ITP. CDFW may approve Designated Monitor(s) not meeting the qualifications of a

Designated Biologist to assist in compliance monitoring and/or implementation of Conditions of Approval as specified by CDFW. Designated Monitor responsibilities shall be restricted to specific Conditions of Approval specified by the Permittee or Designated Representative at the time their qualifications are submitted for review. Designated Monitor(s) and their specific activities shall be approved in advance and in writing by CDFW.

Designated Biologist(s) and Designated 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 Designated Monitor(s) in writing before starting Covered Activities and shall also obtain approval in advance, in writing, if the Designated Biologist(s) or Designated Monitor(s) must be changed.

- 5.3. Designated Biologist(s)/Designated Monitor(s) Authority.** To ensure compliance with the Conditions of Approval of this ITP, the Designated Biologist(s)/Designated Monitor(s) shall be given the authority to 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 entire Project Site and otherwise facilitate the Designated Biologist(s)/Designated Monitor(s) in the performance of his/her duties. If the Designated Biologist(s)/Designated Monitor(s) are unable to comply with the ITP, then the Designated Biologist(s)/Designated Monitor(s) shall notify the CDFW Representative (detailed in the Notices section below) 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(s)/Designated Monitor(s) 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 they can perform any work. The program shall consist of a presentation from the 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 and translation 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. Permittee shall provide CDFW with a copy of all education program materials before starting Covered Activities and copies of the signed acknowledgment forms as described in Condition of Approval Quarterly Compliance Reports.

- 5.5. Construction-Monitoring Documentation. The Designated Biologist(s) and Designated 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 site 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. Permittee shall keep the amount of water used to the minimum amount needed and shall not allow water to form puddles.
- 5.8. Erosion Control Materials. Permittee shall prohibit the use of any plastic-based erosion control materials or materials that can be 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. Dogs. Permittee shall prohibit domestic dogs from the Project Area and site access routes during Covered Activities, except those in the possession of authorized security personnel or local, State, or federal law enforcement officials.
- 5.10. Fire Prevention. Permittee shall implement fire prevention measures during Covered Activities including, but not limited to: (1) equipping all motorized vehicles with spark arrestors when working in designated State Responsibility Areas; (2) ensuring water-filled backpack pumps, shovels, shields, and fire-resistant mats and/or windscreens are available on site during grinding and welding operations; (3) prohibiting welding operations during "red flag" conditions as determined by the California Department of Forestry and Fire Protection; (4) equipping all fuel trucks with an appropriate fire extinguisher; and (5) ensuring that flammable materials are

cleared from parking and storage areas. Personnel shall be trained regarding the fire hazards for wildlife as part of Condition of Approval Education Program.

- 5.11. Delineation of Project Area Boundaries.** Before starting Covered Activities, Permittee shall clearly delineate the boundaries of the Project Area where the ground- or vegetation-disturbing Covered Activities will occur with fencing, stakes, or flags along any part of the route in active construction. Permittee shall restrict all Covered Activities to within the fenced, staked, or flagged Project Area. Permittee shall maintain all fencing, stakes, and flags until the completion of Covered Activities in the Project Area and remove, and properly dispose of, all delineation materials immediately upon completion.
- 5.12. Delineation of Habitat.** Permittee shall clearly delineate habitat of the Covered Species within the Project Area with posted signs, posting stakes, flags, and/or rope or cord, and place fencing as necessary to minimize the disturbance of Covered Species' habitat. Permittee shall maintain all signs, stakes, flags, rope or cord, and fencing until the completion of Covered Activities in the Project Area and remove, and properly dispose of, all habitat delineation materials immediately upon completion.
- 5.13. Project Access.** Project-related personnel shall access the Project Area using existing routes and shall not cross Covered Species' habitat outside of or enroute to the Project Area. Permittee shall restrict Project-related vehicle and equipment ingress and egress to established roads, staging, and parking areas. 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 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.
- 5.14. 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 within the Project Area to the greatest extent possible, except as described in the Project Description section of this ITP. Permittee shall not use or cross Covered Species' habitat outside of the marked Project Area unless provided for as described in Condition of Approval Project Access.
- 5.15. 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.

- 5.16. CDFW Access. Permittee shall provide CDFW staff with reasonable access to the Project and mitigation lands under Permittee control and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in this ITP.
- 5.17. 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.
- 5.18. Pesticide Prohibition. Permittees shall not use and shall prohibit the use of pesticides including but not limited to rodenticides, herbicides, and insecticides within the Project Area without prior written approval from CDFW. This also prohibits the use of any second-generation anticoagulant rodenticide (brodifacoum, bromadiolone, difethialone, and difenacoum) and any first-generation anticoagulant rodenticide (diphacinone, chlorophacinone, and warfarin) in the Project Area.

6. Monitoring, Notification and Reporting Provisions:

- 6.1. Notification Before Commencement. The Designated Representative shall notify CDFW at least 15 calendar days prior to the start of Covered Activities and shall document compliance with all pre-Project Conditions of Approval.
- 6.2. Notification of Non-compliance. The Designated Representative or Designated Biologist shall notify CDFW by phone or email within 24 hours of the discovery 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 or Designated Biologist shall submit a written report to CDFW within 48 hours of the initial notification describing any non-compliance with this ITP in detail and suggested measures to remedy the situation.
- 6.3. Geographic Information Systems Data Files. Within 15 calendar days prior to Project commencement and no later than 45 calendar days after the completion of each component of the Project, the Permittee shall provide CDFW with Geographic Information Systems (GIS) data files for the temporary and/or permanent habitat impact areas authorized under this ITP for each Covered Species. If more than one Covered Species occurs within the same area, the Permittee shall provide a separate set of GIS data files for each species. If habitat for a Covered Species will be both temporarily and permanently impacted, the Permittee shall also provide a separate set of GIS data files for each impact type for each species. The Permittee shall also provide any additional requested GIS data files for the Project or related Covered Species features within 30 days of CDFW's request. All GIS data files shall be provided in a format acceptable to CDFW.

6.4. Compliance Monitoring. The Designated Biologist shall be on site daily for the duration of the day to monitor compliance when Covered Activities occur. The Designated Biologist 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) check all exclusion zones; and
- (5) ensure that signs, stakes, and fencing are intact, and that Covered Activities are only occurring in the Project Area.

During periods of inactivity or after vegetation clearing and grading have been completed, compliance inspections by the Designated Biologist may be reduced to a minimum of one day per week. Permittee shall immediately resume daily compliance inspections if the Designated Biologist or CDFW finds the Permittee is out of compliance with any Conditions of Approval of this ITP, upon written notification from CDFW, and/or if any individuals of the Covered Species, including burrows and dens are suspected or confirmed in the Project Area.

In addition to daily compliance inspections required by this Condition of Approval, the Designated Representative and Designated Biologist(s) shall ensure that all other inspections required by this ITP are conducted at the frequencies (i.e., interval, time(s) of day, following specified weather events) required by other specific Conditions of Approval. The Designated Representative or Designated Biologist(s) shall prepare daily written observation and inspection records summarizing oversight activities and compliance inspections, observations of Covered Species and their sign, survey results, and monitoring activities required by this ITP.

6.5. Record of Covered Species Relocated. The Designated Biologist shall maintain a record of all Covered Species handled and observed. 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 handled or observed; (4) the general condition and health, noting all visible conditions including gait and behavior, ectoparasites, injuries, etc.; (5) any diagnostic markings, sex, age (juvenile or adult); (6) actions undertaken; (7) habitat description; and (8) 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 Condition of Approval CNDDDB Observations. The Designated Biologist shall prepare a Relocation Summary and include it in the Quarterly Compliance and Annual Status Reports described in Conditions of Approval Quarterly Compliance Report and Annual

Status Report, respectively. The Relocation Summary in the Final Mitigation Report described in Condition of Approval Final Mitigation Report shall include cumulative results, analysis of data collected, and conclusions.

- 6.6. Quarterly Compliance Report.** The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in Condition of Approval Compliance Monitoring and Record of Covered Species Relocated into a Quarterly Compliance Report and submit it to CDFW along with a copy of the MMRP table with notes showing the current implementation status of each mitigation measure and education program signed acknowledgement forms as described in Condition of Approval Education Program. Quarterly Compliance Reports shall also include an accounting of the number of acres that have been permanently and temporarily disturbed by the Project, both for the prior quarter, and the total since ITP issuance, if applicable; the number of acres of habitat disturbance anticipated to occur in the Project Area during the coming quarter, if applicable; a summary of all pre-activity surveys and compliance monitoring conducted during the previous quarter; and the activities authorized under the Covered Activities which occurred during the previous quarter. Quarterly Compliance Reports shall be submitted by January 15, April 15, July 15, and October 15 via email to CDFW's Regional Representative, Regional CESA Program, and Headquarters CESA Program. At the time of this ITP's approval, the CDFW Regional Representative is Sarah Bahm (Sarah.Bahm@wildlife.ca.gov), the CDFW Regional Office e-mail is R4CESA@wildlife.ca.gov and Headquarters CESA Program e-mail 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.
- 6.7. Annual Status Report.** Permittee shall provide CDFW with an Annual Status Report (ASR) 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. ASRs shall be submitted to CDFW following the directions provided in Condition of Approval Quarterly Compliance Report above. Each ASR shall include, at a minimum: (1) a summary of all Quarterly Compliance Reports for that year identified in Condition of Approval Quarterly Compliance Report; (2) a general description of the status of the Project 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.

- 6.8. CNDDDB Observations.** The Designated Biologist shall submit all observations of Covered Species to CDFW's California Natural Diversity Database (CNDDDB) within 30 calendar days of the observation and the Designated Biologist shall include copies of the submitted forms with the next Quarterly Compliance Report or ASR, whichever is submitted first relative to the observation.
- 6.9. Final Mitigation Report.** No later than 60 days after completion of all mitigation measures, Permittee shall provide CDFW with a Final Mitigation Report via e-mail as described in Condition of Approval Quarterly Compliance Report. The Designated Biologist shall prepare the Final Mitigation Report which shall include, at a minimum: (1) a summary of all Quarterly Compliance Reports and ASRs; (2) a copy of the MMRP table with notes showing when each of the mitigation measures was implemented and by whom; (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, including any breaks in Covered Activities longer than one week; (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.
- 6.10. 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 within 24 hours of discovery via e-mail to the CDFW Regional Representative and R4CESA@wildlife.ca.gov. The initial notification to CDFW shall include information regarding the location, species, and number of animals taken or injured, summary of next steps that will be taken, and the ITP Number. Following initial notification, Permittee shall email the CDFW Regional Representative and R4CESA@wildlife.ca.gov 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, photographs, steps taken after discovery, 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. Designated Biologist On Site. The Designated Biologist shall be on site for the duration of the day during all activities that may result in the take of Covered Species.
- 7.2. Work Hours and Nightwork. Permittee shall confine all surface- or vegetation-disturbing activities to daylight hours (sunrise to sunset). Permittee shall ensure that all vehicle traffic necessary during nighttime hours shall be conducted with extra caution to minimize impacts to Covered Species. Permittee shall request written authorization from CDFW if any nightwork shall occur.
- 7.3. Lighting. Permittee shall not install permanent lighting at the Project Area. Permittee shall not use temporary, fixed, exterior lighting, including motion-triggered security lighting between sunset and sunrise unless authorized in writing from CDFW. Permittee shall ensure that all temporary, fixed, exterior lighting used within the Project Area is turned on only when people are present and shall not cast light on Covered Species habitat beyond the footprint of the Project Area.
- 7.4. Delineation of Ingress and Egress Routes. Permittee shall flag or otherwise clearly mark all access routes in the field from the paved road. Vehicle and equipment operation shall be limited to these designated, marked ingress and egress routes.
- 7.5. Equipment Fueling and Maintenance. Permittee shall ensure that all equipment fueling and maintenance occur at least 50 feet from Covered Species burrows and dens, unless fueling and maintenance occurs within the fenced Work Area where vegetation has been removed per Condition of Approval Vegetation Removal and burrows and dens have been excavated per Conditions of Approval GKR Burrow Excavation, TKR Burrow Excavation, SJAS Burrow Excavation, and SJKF Den Excavation below, or approved in advance in writing by CDFW. Permittee shall ensure that sufficient spill containment and cleanup equipment be present at all fueling locations. Permittee shall request written authorization from CDFW (email will suffice) if any additional fueling and maintenance locations are necessary outside of the Project Area.
- 7.6. Vehicle Parking. Permittee shall not allow vehicles to park on top of Covered Species burrows and dens. Permittee shall restrict parking to within designated staging and parking areas for which vegetation has been removed as required by Condition of Approval Vegetation Removal and burrows and dens have been excavated as required by Conditions of Approval GKR Burrow Excavation, TKR Burrow Excavation, SJAS Burrow Excavation, and SJKF Den Excavation below, or within the disturbed access roads as described in the Project Description section of this ITP. Vehicles and equipment parked overnight shall be located at least 50 feet from all burrows and dens unless parking occurs within the fenced Project Area where vegetation has been removed as required by Condition of Approval Vegetation Removal and burrows and dens have been excavated as required by Conditions of Approval GKR Burrow Excavation, TKR Burrow Excavation, SJAS

Burrow Excavation, and SJKF Den Excavation or approved in advance in writing by CDFW.

- 7.7. Vehicle and Equipment Inspection. Workers shall inspect for Covered Species under vehicles and equipment every time before the vehicles and equipment are moved. If a Covered Species is present, the worker shall immediately notify the Designated Biologist and wait for the Covered Species to move unimpeded to a safe location. Alternatively, the Designated Biologist may move GKR, TKR and/or SJAS out of harm's way outside of the Project Area and in compliance with the approved GKR Mortality Reduction and Relocation Plan, TKR Mortality Reduction and Relocation Plan and/or SJAS Mortality Reduction and Relocation Plan described below. If a trapped SJKF does not vacate of its own accord within a reasonable timeframe, the Permittee or Designated Biologist(s) shall contact CDFW, and Permittee shall get written concurrence prior to proceeding with eviction of the SJKF.
- 7.8. Stockpiling Materials. Permittee shall stockpile and store all materials and equipment in a manner that discourages Covered Species' use. Permittee shall not place bundled or loose materials directly on the ground in all locations. Permittee shall elevate materials to discourage use by Covered Species.
- 7.9. Soil Stockpiles. Permittee shall ensure that soil stockpiles are placed where soil will not pass into any other "Waters of the State," in accordance with Fish and Game Code section 5650. Permittee shall protect stockpiles to prevent soil erosion.
- 7.10. Materials Inspection. Workers shall thoroughly inspect all construction materials, such as pipes, culverts, or other similar structures with a diameter of one inch or greater, that are stored in the Project Area for one or more overnight periods for the Covered Species before the structure is subsequently moved, utilized, enclosed, buried, or capped. If during inspection, a Covered Species is discovered inside or under materials, workers shall immediately notify the Designated Biologist and wait for the Covered Species to move unimpeded to a safe location before moving or utilizing the structure in any way. Alternatively, the Designated Biologist may move GKR, TKR and/or SJAS out of harm's way outside of the Project Area and in compliance with the approved GKR Mortality Reduction and Relocation Plan, TKR Mortality Reduction and Relocation Plan and/or SJAS Mortality Reduction and Relocation Plan described below. If a trapped SJKF does not vacate of its own accord within a reasonable timeframe, the Permittee or Designated Biologist(s) shall contact CDFW, and Permittee shall get written concurrence prior to proceeding with eviction of the SJKF.
- 7.11. Pipes and other Structures Entrapment Prevention. Permittee shall ensure that all pipes, hoses, conduits, culverts, or similar materials stockpiled or installed in the Project Area are capped or otherwise enclosed at the ends to prevent entry by Covered Species. Permittee shall not leave any permanent pipes, conduits,

electrical cabinets, or similar materials or structures open where Covered Species may enter them and become trapped. The Designated Biologist and/or Designated Monitor shall thoroughly inspect all such materials for Covered Species before they are moved, utilized, enclosed, buried, or capped. If a Covered Species is discovered inside such material, that section of material shall not be moved or utilized in any way until the animal has escaped of its own accord. If a Covered Species inside such materials does not vacate of its own accord within a reasonable timeframe, CDFW shall be contacted and Permittee shall get written concurrence prior to proceeding with eviction of the Covered Species.

- 7.12. Excavation Inspection.** The Designated Biologist and/or Designated Monitor shall inspect all open trenches, holes, sumps, and other excavations within the Project Area at the beginning and end of each day when Covered Activities occur for any Covered Species that may be trapped. Project workers shall inspect all open holes, sumps, trenches, and other excavations for Covered Species immediately before they are backfilled. If any Project worker discovers that Covered Species have become trapped, the Project worker shall immediately cease all Covered Activities in the vicinity which could cause further entrapment, or injure or kill the Covered Species, and notify the Designated Biologist(s). The Designated Biologist(s) and Project workers shall allow Covered Species to move to a safe location unimpeded, if possible, before Covered Activities are allowed to continue. Alternatively, the Designated Biologist may move GKR, TKR and/or SJAS out of harm's way outside of the Project Area and in compliance with the approved GKR Mortality Reduction and Relocation Plan, TKR Mortality Reduction and Relocation Plan and/or SJAS Mortality Reduction and Relocation Plan described below. If a trapped SJKF does not vacate of its own accord within a reasonable timeframe, the Permittee or Designated Biologist(s) shall contact CDFW, and Permittee shall get written concurrence prior to proceeding with eviction of the SJKF.

- 7.13. Covers and Ramps.** Permittee shall ensure that all open trenches, holes, sumps, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope are covered when workers or equipment are not actively working in the excavation, which includes cessation of work overnight, or have installed an escape ramp of soil or a non-slip material with a less than 1:1 (45 degree) slope. Permittee shall not line or cover open trenches, holes, sumps, or other excavations with Visqueen or other plastic sheeting material.

To prevent inadvertent entrapment of the Covered Species, the Designated Biologist and/or Designated Monitor shall oversee the covering of all trenches, holes, sumps, or other excavations with sidewalls greater than 1:1 (45 degree) slope of any depth with barrier material (such as hardware cloth) at the close of each working day such that animals are unable to dig or squeeze under the barrier and become entrapped. The outer two feet of excavation cover shall conform to solid ground so that gaps do not occur between the cover and the ground and secured with soil staples or similar means to prevent gaps.

The Designated Biologist(s) shall inspect the integrity of covers and escape ramps of trenches, holes, sumps, and other excavations once each workday (including weekends and any other non-workdays unless temporary exclusion fencing completely surrounds the Project Area to ensure that covers and ramps are in good condition, secured, and with no gaps. Designated Biologist and/or Designated Monitor shall also thoroughly inspect any trenches, holes, sumps, or other excavations that are covered long-term at the beginning of each working day to ensure inadvertent entrapment has not occurred and shall make any necessary repairs to the cover.

- 7.14. Covered Species Observations.** All workers shall immediately inform the Designated Biologist if a Covered Species is seen within or near a Project Area during implementation of any Covered Activity. The Designated Biologist shall stop all work in the vicinity of the Covered Species until the Covered Species is allowed to move unimpeded from the Project Area of its own accord. Alternatively, the Designated Biologist may move GKR, TKR and/or SJAS out of harm's way outside of the Project Area and in compliance with the approved GKR Mortality Reduction and Relocation Plan, TKR Mortality Reduction and Relocation Plan and/or SJAS Mortality Reduction and Relocation Plan described below. If a trapped SJKF does not vacate of its own accord within a reasonable timeframe, the Permittee or Designated Biologist(s) shall contact CDFW, and Permittee shall get written concurrence prior to proceeding with eviction of the SJKF.
- 7.15. Delineation of Environmentally Sensitive Areas.** Permittee shall clearly delineate Environmentally Sensitive Areas before Covered Activities commence in the Project Area. Environmentally Sensitive Areas shall be marked with brightly-colored markers visible to workers with posted signs, posting stakes, flags, and/or rope or cord, and place fencing as necessary to minimize the disturbance of Covered Species. Environmentally Sensitive Areas are defined as all areas that warrant special protection and no-disturbance exclusion buffers as defined in Condition of Approval GKR Burrow Avoidance, TKR Burrow Avoidance, SJAS Burrow Avoidance, and SJKF Den Avoidance. Permittee shall maintain Environmentally Sensitive Area markers in good repair for the duration of the Covered Activities in the Project Area. All markers shall be removed and properly disposed of immediately upon completion of Covered Activities in the Project Area. No Covered Activities are allowed within Environmentally Sensitive Areas except as described below in Conditions of Approval Exclusion Fencing Installation and Inspection, GKR Pre-Construction Surveys and Reporting, TKR Pre-Construction Surveys and Reporting, SJAS Pre-Construction Surveys and Reporting, and SJKF Pre-Activity Surveys and Den Map Reporting.
- 7.16. Vegetation Removal.** Prior to beginning Covered Activities, Permittee shall cut/clip and remove any woody vegetation (i.e., shrubs) within the Project Area that will be disturbed by Covered Activities to encourage Covered Species to move out of the

area. The Designated Biologist shall supervise shrub removal to ensure hand tools are used to cut/clip the vegetation at the base of the plants.

7.17. Exclusion Fencing Plan. Permittee shall install temporary exclusion fencing around each Work Area within the Project Area, including workspaces and staging areas. At least 30 days prior to commencing Covered Activities, Permittee shall submit an Exclusion Fencing Plan for review and approval in writing by CDFW prior to installation. The Exclusion Fencing Plan shall include but not be limited to the fencing material, fencing design, installation methods and timing, access gate(s) design and location(s), and a map of installation location(s) at each Work Area in the Project Area.

7.18. Exclusion Fencing Installation and Inspection. The Designated Biologist shall accompany the exclusion fence installation crew to ensure that Covered Species are not killed or injured during fence installation. The Designated Biologist shall ensure all burrow and den entrances are avoided (i.e., not covered) by fencing material during fence installation. Permittee shall ensure that exclusion fencing remains in place and is supported sufficiently to maintain the exclusion fence under all conditions such as wind and heavy rain.

The Designated Biologist shall inspect the Temporary Exclusion Fencing daily when Covered Activities are occurring within the Project Area and at least once weekly during periods of inactivity. The Designated Biologist or Permittee shall maintain and immediately repair the fence when necessary. All fencing and associated materials shall be removed immediately upon completion of Covered Activities within each Work Area in the Project Area.

7.19. Covered Species Buffer Reduction. The buffers prescribed in Conditions of Approval GKR Burrow Avoidance, TKR Burrow Avoidance, SJAS Burrow Avoidance, and SJKF Den Avoidance below shall not be reduced or otherwise modified without prior written CDFW approval. If the Designated Biologist determines that specific Covered Activities are not likely to impact the Covered Species using known burrows or dens due to the nature of the specific Covered Activities and/or due to objects or topography that might reduce potential noise disturbance and obstruct view of the Covered Activities from the den or burrow, or if additional exclusion methods (e.g., exclusion fence strategies, monitoring, etc.) will be performed, then the Designated Biologist may submit a written request to CDFW via email to reduce the buffer distance with documented observational data and the justification for the reduced buffer (Buffer Reduction Request). CDFW will review each Buffer Reduction Request on a case-by-case basis and provide a determination in response to each Buffer Reduction Request in writing. CDFW may request additional and/or ongoing biological monitoring prior to approving a Buffer Reduction Request.

- 7.20. Covered Species Injury.** If any life stage of any of the Covered Species is injured or found dead within the vicinity of the Project Area, Permittees shall notify CDFW of the injury or mortality to the Covered Species immediately by email as described in the Condition of Approval Notification of Take or Injury. The Designated Biologist shall immediately transport injured individuals to a CDFW-approved wildlife rehabilitation center or veterinary facility or follow approved collection and storage procedures for deceased animals. Permittees shall bear any costs associated with the care, treatment, recovery, and release of such injured Covered Species.
- 7.21. Revegetation Plan.** Prior to implementing revegetation activities at the Project Area, Permittee shall submit a Revegetation Plan to CDFW via email for review and approval to facilitate revegetation of the 14.65 acres of temporary disturbance within the Project Area. Permittee shall restore the vegetation to a condition conducive for recolonization by the Covered Species. Permittee shall ensure the Revegetation Plan is successfully implemented by a contractor. At a minimum, the Plan shall include the following information: (1) a map that identifies the area(s) to be revegetated; (2) a planting plan, including the seed application method to establish suitable vegetation for the Covered Species and the contractor or entity responsible for application; (3) the plant palette consisting of California native plants and seed sources; (4) procedures to ensure that nonnative plants are not introduced or allowed to sustain within the revegetation areas and nonnative plant removal plan; (5) avoidance and minimization measures; (6) monitoring and maintenance measures and a timeline when these will occur and by whom; (7) proposed success criteria and contingency measures if the first application is unsuccessful to ensure habitat suitability for Covered Species; (8) indicate the time of year seeding will occur to ensure adequate growth without supplemental watering; and (9) the timeframe for which the site must sustain itself and meet the identified success criteria.

GKR-Specific Measures

- 7.22. GKR Mortality Reduction and Relocation Plan.** Permittee shall submit a GKR Mortality Reduction and Relocation Plan to CDFW at least 30 days prior to beginning Covered Activities. Trapping, burrow excavation, and other relocation activities shall not proceed until this plan has been approved in writing by CDFW's Regional Representative. The GKR Mortality Reduction and Relocation Plan shall include but not be limited to: timing; detailed description of trapping methodology; detailed burrow excavation methods; release location(s); detailed release methods (i.e., soft release or another method); artificial burrow design and installation methods; and identification of a wildlife rehabilitation center or veterinary facility capable of and willing to treat injured GKR. Only a Designated Biologist is authorized to capture, handle, and relocate GKR unless a Designated Monitor is specifically approved in writing.

Once the GKR Mortality Reduction and Relocation Plan is approved in writing by CDFW, it shall be used for all GKR mortality reduction activities for the duration of this ITP unless updated by CDFW to reflect best available science in which case CDFW will contact the Permittee to discuss needed revisions. Any proposed changes to the CDFW-approved GKR Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed GKR Mortality Reduction and Relocation Plan modifications.

- 7.23. GKR Pre-Construction Surveys and Reporting.** No more than 14 calendar days prior to beginning Covered Activities, the Designated Biologist shall conduct pre-construction surveys in each Work Area and 50 feet beyond the limits of the Work Area to identify, flag, and map all GKR burrows and precincts. Permittee shall provide the results in a GKR Burrow Map and written report to CDFW's Regional Representative within five calendar days after survey completion. The report shall include but not be limited to the methodology, date and time of survey, a discussion and map of the locations of each GKR burrow and/or precinct, distances of burrows or precincts to Work Areas, and the dates when GKR trapping and relocation will occur as described in Condition of Approval GKR Relocation.
- 7.24. GKR Burrow Avoidance.** The Designated Biologist shall establish a no-disturbance buffer of 50 feet or greater around suspected or known GKR burrows and precincts within or adjacent to the Work Area that will be impacted by vegetation- or ground-disturbing Covered Activities. If the 50-foot no-disturbance buffer cannot be established, live trapping, relocation, and burrow excavation shall occur in accordance with Conditions of Approval GKR Relocation, GKR Relocation Timing and Weather Constraints, and GKR Burrow Excavation below. A buffer reduction request may be submitted to CDFW to allow for retaining burrows or precincts that could otherwise be reasonably avoided and un-damaged by vegetation- or ground-disturbing activities and potentially available to GKR post construction in accordance with Condition of Approval Covered Species Buffer Reduction.
- 7.25. GKR Relocation.** The Designated Biologist shall conduct live-trapping at GKR burrows detected within each Work Area that cannot be avoided per Condition of Approval GKR Burrow Avoidance for at least four (4) consecutive nights prior to commencing ground- or vegetation-disturbing Covered Activities. The Designated Biologist shall relocate any captured GKR to the CDFW-approved release site identified in the approved GKR Mortality Reduction and Relocation Plan.

The Designated Biologist shall relocate any haystacks, seed caches, and seed stores found with live-trapped GKR with the associated individual GKR by placing those materials at the release location with that individual. Any captured lactating/nursing female or dependent GKR juveniles shall be released immediately and monitored for their specific burrow return and plan for either: (1) future burrow or precinct excavation so adult and dependent young/juvenile(s) can be captured

(during excavation) and relocated together; or (2) delaying subsequent trapping at the specific burrow or precinct site to allow for young/juveniles to mature and disperse. The Permittee may submit alternative relocation methods for written approval by CDFW as a part of the GKR Mortality Reduction and Relocation Plan.

- 7.26. GKR Relocation Timing and Weather Constraints.** The Designated Biologist shall ensure that all traps set between January 1 and August 31 for the relocation of GKR be set no more than 1 hour prior to sunset and closed no more than 1 hour after sunrise to reduce the amount of time a pregnant or lactating/nursing female may be in a trap. The Designated Biologist shall check all traps set during this time for occupancy at least every 3 hours between sunset and sunrise. The Designated Biologist shall close all traps for GKR during the threat of inclement weather, such as the National Weather Service prediction of a 30 percent or greater chance of precipitation that can be independently verified by both CDFW and the Permittee.

Additionally, the Designated Biologist shall close, or not open, all traps for GKR if the air temperature exceeds 99 degrees Fahrenheit during the trapping period. If the air temperature is predicted to drop below 50 degrees Fahrenheit, Designated Biologist shall check all traps every 2 hours during the trapping period and extra seed shall be included in each trap. The Designated Biologist shall place natural batting (e.g. unbleached paper towels), or the appropriate material for insulation and shredding, into each open trap. The Designated Biologist shall replace this material with new material after each time a capture occurs in a given trap. The Designated Biologist shall cease trapping if captured animals are found to be lethargic or otherwise are showing signs of a decrease in body temperature.

- 7.27. GKR Burrow Excavation.** Immediately following live trapping activities conducted to address Condition of Approval GKR Relocation and prior to beginning Covered Activities within the Project Area, the Designated Biologist or individuals under the direct supervision of the Designated Biologist shall fully excavate by hand all potential GKR burrows within the Work Area to be disturbed by Covered Activities. The Designated Biologist shall relocate any GKR (with salvageable burrow contents) encountered during burrow excavation to the CDFW-approved release site(s) identified in the approved GKR Mortality Reduction and Relocation Plan.

- 7.28. Protection of GKR Food Stores.** Permittee shall not disturb any GKR food stores (e.g., haystacks, seed caches, or other stockpiled forage) where impacts occur that do not warrant relocation of GKR, as directed by the GKR Mortality Reduction and Relocation Plan. If avoidance is not feasible, the Designated Biologist shall implement measures to keep the food stores intact, including temporary relocation of the food stores (only during daytime; seeds must be returned to original location prior to sunset), covering the seeds temporarily with plywood to allow temporary vehicle or foot traffic access, or implementing other measures developed in consultation with CDFW.

TKR-Specific Measures

- 7.29. TKR Mortality Reduction and Relocation Plan.** Permittee shall submit a TKR Mortality Reduction and Relocation Plan to CDFW at least 30 days prior to beginning Covered Activities. Trapping, burrow excavation, and other relocation activities shall not proceed until this plan has been approved in writing by CDFW's Regional Representative. The TKR Mortality Reduction and Relocation Plan shall include but not be limited to: timing; detailed description of trapping methodology; detailed burrow excavation methods; release location(s); detailed release methods (i.e., soft release or another method); artificial burrow design and installation methods; and identification of a wildlife rehabilitation center or veterinary facility capable of and willing to treat injured TKR. Only a Designated Biologist is authorized to capture, handle, and relocate TKR unless a Designated Monitor is specifically approved in writing.

Once the TKR Mortality Reduction and Relocation Plan is approved in writing by CDFW, it shall be used for all TKR mortality reduction activities for the duration of this ITP unless updated by CDFW to reflect best available science in which case CDFW will contact the Permittee to discuss needed revisions. Any proposed changes to the CDFW-approved TKR Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed TKR Mortality Reduction and Relocation Plan modifications.

- 7.30. TKR Pre-Construction Surveys and Reporting.** No more than 14 calendar days prior to beginning Covered Activities, the Designated Biologist shall conduct pre-construction surveys in each Work Area and 50 feet beyond the limits of the Work Area to identify, flag, and map all TKR burrows. Permittee shall provide the results in a TKR Burrow Map and written report to CDFW's Regional Representative within five calendar days after survey completion. The report shall include but not be limited to the methodology, date and time of survey, a discussion and map of the locations of each TKR burrow, distances of burrows to Work Areas, and the dates when TKR trapping and relocation will occur as described in Condition of Approval TKR Relocation.
- 7.31. TKR Burrow Avoidance.** The Designated Biologist shall establish a no-disturbance buffer of 50 feet or greater around suspected or known to be occupied TKR burrows within or adjacent to a Work Area that will be impacted by vegetation- or ground-disturbing Covered Activities. If the 50-foot no-disturbance buffer cannot be established, live trapping, relocation, and burrow excavation shall occur in accordance with Conditions of Approval TKR Relocation, TKR Relocation Weather Constraints, and TKR Burrow Excavation below. A buffer reduction request may be submitted to CDFW to allow for retaining burrows that could otherwise be reasonably avoided and un-damaged by vegetation- or ground-disturbing activities

and potentially available to TKR post construction in accordance with Condition of Approval Covered Species Buffer Reduction.

- 7.32. TKR Relocation.** The Designated Biologist shall conduct live-trapping at TKR burrows detected within each Work Area that cannot be avoided per Condition of Approval TKR Burrow Avoidance for at least four (4) consecutive nights prior to commencing ground-disturbing Covered Activities. The Designated Biologist shall relocate any captured TKR to the CDFW-approved release site identified in the approved TKR Mortality Reduction and Relocation Plan.
- 7.33. TKR Relocation Weather Constraints.** During the threat of inclement weather, such as the National Weather Service prediction of a 30 percent or greater chance of rain that can be independently verified by both CDFW and the Permittee, the Designated Biologist shall close, or not open, all traps for TKR. Additionally, the Designated Biologist shall close, or not open, all traps for TKR if the air temperature exceeds 99 degrees Fahrenheit during the trapping period.

If the air temperature is predicted to drop below 50 degrees Fahrenheit, Designated Biologist shall check all traps every 2 hours during the trapping period and extra seed shall be included in each trap. The Designated Biologist shall place natural batting (e.g. unbleached paper towels), or the appropriate material for insulation and shredding, into each open trap. The Designated Biologist shall replace this material with new material after each time a capture occurs in a given trap. The Designated Biologist shall immediately cease trapping if captured animals are found to be lethargic, showing signs of a decrease in body temperature, or any signs of distress.

- 7.34. TKR Burrow Excavation.** Immediately following live trapping activities conducted to address Condition of Approval TKR Relocation and prior to beginning Covered Activities within a Work Area, the Designated Biologist or individuals under the direct supervision of the Designated Biologist shall fully excavate by hand all potential TKR burrows within the fenced Work Area of the Project Area to be disturbed by Covered Activities. The Designated Biologist shall relocate any TKR (with salvageable burrow contents) encountered during burrow excavation to the CDFW-approved release site(s) identified in the approved TKR Mortality Reduction and Relocation Plan.

SJAS-Specific Measures

- 7.35. SJAS Mortality Reduction and Relocation Plan.** Permittee shall submit a SJAS Mortality Reduction and Relocation Plan to CDFW at least 30 days prior to beginning Covered Activities. Trapping, burrow excavation, and other relocation activities shall not proceed until this plan has been approved in writing by CDFW's Regional Representative. The SJAS Mortality Reduction and Relocation Plan shall include, but not be limited to, timing; detailed description of trapping methodology;

detailed burrow excavation methods; release location(s); detailed release methods (i.e., soft release or another method); artificial burrow design and installation methods; and identification of a wildlife rehabilitation center or veterinary facility capable of and willing to treat injured SJAS. Only a Designated Biologist is authorized to capture, handle, and relocate SJAS unless a Designated Monitor is specifically approved in writing.

Once the SJAS Mortality Reduction and Relocation Plan is approved in writing by CDFW, it shall be used for all SJAS mortality reduction activities for the duration of this ITP unless updated by CDFW to reflect best available science in which case CDFW will contact the Permittee to discuss needed revisions. Any proposed changes to the CDFW-approved SJAS Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed SJAS Mortality Reduction and Relocation Plan modifications.

- 7.36. SJAS Pre-Construction Surveys and Reporting.** No more than 14 calendar days prior to beginning Covered Activities, the Designated Biologist shall conduct pre-construction surveys in each Work Area and 50 feet beyond the limits of the Work Area to identify, flag, and map all SJAS burrows. Permittee shall provide the results in a SJAS Burrow Map and written report to CDFW's Regional Representative within five calendar days after survey completion. The report shall include but not be limited to the methodology, date and time of survey, a discussion and map of the locations of each SJAS burrow, distances of burrows to Work Areas, and the dates when SJAS trapping and relocation will occur as described in Condition of Approval SJAS Relocation.
- 7.37. SJAS Burrow Avoidance.** The Designated Biologist shall establish a no-disturbance buffer of 50 feet or greater around suspected or known to be occupied SJAS burrows within or adjacent to the Work Area that will be impacted by vegetation- or ground-disturbing Covered Activities. If the 50-foot no-disturbance buffer cannot be established, live trapping, relocation and burrow excavation shall occur in accordance with the CDFW-approved SJAS Mortality Reduction and Relocation Plan and Conditions of Approval SJAS Relocation, SJAS Relocation Weather Constraints, and SJAS Burrow Excavation. A buffer reduction request may be submitted to CDFW to allow for retaining burrows that could otherwise be reasonably avoided and un-damaged by vegetation- or ground-disturbing activities and potentially available to SJAS post construction in accordance with Condition of Approval Covered Species Buffer Reduction.
- 7.38. SJAS Relocation.** The Designated Biologist shall conduct diurnal live-trapping at SJAS burrows detected within each Work Area that cannot be avoided per Condition of Approval SJAS Burrow Avoidance for at least four (4) consecutive days prior to commencing ground-disturbing Covered Activities. The Designated

Biologist shall relocate any captured SJAS to the CDFW-approved release site identified in the approved SJAS Mortality Reduction and Relocation Plan.

- 7.39. SJAS Relocation Timing Constraints.** The Designated Biologist shall relocate SJAS only after young of the year SJAS are observed above ground on site or at a suitable reference site and during the main activity period for the species (April 1 to September 30) unless otherwise approved in advance and in writing by CDFW (email will suffice). Approval to conduct relocation outside of the main activity period will require the seven-day forecast predicted by the National Weather Service, that can be independently verified by both CDFW and the Permittee, to have daytime high temperatures (sunrise to sunset) between 68 and 86 degrees Fahrenheit with no prediction of inclement weather (e.g., a predicted 30 percent or greater chance of precipitation) and evidence of young of the year SJAS (if prior to April 1) and/or adults (if after September 30) observed above ground at a CDFW-approved reference site. Traps shall only be open during the time of day when on-site temperatures are within the 68 to 86 degrees Fahrenheit criterion and only when temperatures are predicted by the National Weather Service to remain within that range for more than four hours. Any captured lactating/nursing female or dependent juvenile SJAS shall be released immediately at the trap location and trapping shall cease until young of the year SJAS are observed above ground and no longer dependent on their mother.

If trapping and intended relocation occurs prior to April 1 and/or after September 30, the Designated Biologist(s) shall submit daily trapping forms to CDFW for review and concurrence to continue with live trapping. Daily trapping forms shall include, but not be limited to, on-site temperatures and time when traps are opened, when traps are checked, and when animals are relocated; weather conditions (e.g., wind and cloud cover); and the number of traps used. After review of the final daily trapping form and concurrence with trapping results, CDFW will approve burrow excavation in advance and in writing (email will suffice) following the final day of trapping. The Permittee may submit an alternative relocation method for written approval by CDFW as a part of the SJAS Mortality Reduction, Relocation, and Adaptive Management Plan for Covered Activities occurring outside the referenced activity period for SJAS (April 1 through September 30).

- 7.40. SJAS Relocation Weather Constraints.** During the threat of inclement weather, such as the National Weather Service prediction of a 30 percent or greater chance of rain that can be independently verified by both CDFW and the Permittee, the Designated Biologist shall halt all capture of SJAS. Additionally, the Designated Biologist shall halt all capture of SJAS and immediately close traps if the air temperature drops below 68 or exceeds 86 degrees Fahrenheit during the capture period. The Designated Biologist shall immediately cease capture activity and close traps if captured animals are found to be lethargic, showing signs of an increase or decrease in body temperature, or showing any signs of distress.

- 7.41. SJAS Burrow Excavation.** Immediately following completion of SJAS trapping and relocation activities conducted as required by Condition of Approval SJAS Relocation and prior to commencing Covered Activities within the Work Area, the Designated Biologist, or individuals under the direct supervision of the Designated Biologist, shall fully excavate by hand any potential SJAS burrows present within the portion of the Project Area to be disturbed by Covered Activities. Any SJAS encountered during burrow excavation shall be allowed to escape out of harm's way to the adjacent natural habitat or relocated to the CDFW-approved release site identified in the approved SJAS Mortality Reduction and Relocation Plan by the Designated Biologist. Any dormant, lactating/nursing female, or dependent juvenile Covered Species encountered shall be collected (with salvageable burrow contents) by the Designated Biologist and relocated (with salvaged burrow contents) to an artificial burrow installed at the CDFW-approved release site.

SJKF-Specific Take Minimization Measures

- 7.42. SJKF Pre-Activity Surveys and Den Map Reporting.** No more than 14 calendar days prior to beginning Covered Activities, the Designated Biologist shall conduct a pre-activity survey for SJKF and to identify, flag, and map all SJKF dens (potential, known, and natal dens) within the Work Area and 50 feet beyond the limits of the Work Area as well as a buffer zone of 500 feet beyond the limits of the Work Area (where feasible) to identify SJKF dens. Permittee shall provide the results in a SJKF Den Map and written report to CDFW's Regional Representative within five calendar days after survey completion. The report shall include but not be limited to methodology, date and time of survey, the number, type, and status of SJKF dens, a discussion and map of the locations of each SJKF den identified.
- 7.43. SJKF Den Avoidance.** Permittee shall establish no-disturbance buffer zones around potential, known and natal SJKF dens according to the following guidelines:
- If a potential SJKF den (any subterranean hole, three inches or larger, for which no evidence is present to conclude that the den is being used or has been used by a SJKF) is discovered, Permittee shall establish a minimum 50-foot no-disturbance buffer around the den.
 - If a known den (one that shows evidence of current use or was used in the past) is discovered, Permittee shall establish a minimum no-disturbance buffer of at least 100 feet around the den.
 - If a natal den (den in which SJKF young are reared) is discovered, Permittee shall establish a no-disturbance buffer of at least 200 feet around the den. Permittee shall establish a no-disturbance buffer of at least 500 feet around an active natal dens with pups.

- Permittee shall notify CDFW's Regional Representative immediately via phone and email if any SJKF-occupied dens or natal dens (occupied and unoccupied) are discovered within or immediately adjacent to the Project Area. An established SJKF den no-disturbance buffer may be removed once the SJKF is no longer using the area.

If SJKF dens cannot be avoided as described above, then the Permittee shall follow Conditions of Approval Covered Species Buffer Reduction, SJKF Den Blockage, SJKF Den Excavation, and SJKF Den Replacement Plan as applicable. Establishment of larger no-disturbance buffers are warranted if SJKF are visibly stressed by the Covered Activities or workers in the vicinity. Increased no-disturbance buffers will be determined by the Designated Biologist based on the behavioral observations of the affected SJKF individuals.

- 7.44. SJKF Den Blockage.** Permittee may block rather than destroy any den located within the buffer distances prescribed by Condition of Approval SJKF Den Avoidance, but outside the discrete ground-disturbing Work Area(s) within the Project Area. Dens (including dens in natural substrate and in/under man-made structures) may be blocked immediately only after the Designated Biologist has conducted four (4) consecutive days of monitoring with tracking medium and wildlife cameras and determined that SJKF is not currently present. Camera used for monitoring should be chosen at the discretion of an approved SJKF Designated Biologist and shall have daytime and nighttime recording/photo-capture capabilities.

Natal dens shall not be blocked until the pups and adults have vacated the den and then only after written concurrence from the CDFW. Den blockage shall be done in a manner that prevents SJKF from digging back into the den. All blocked dens shall be monitored at least once per week to ensure that the exclusion material is still intact. If SJKF is detected during monitoring activities after the block is installed or regains access to the den, the Permittee shall contact CDFW immediately and obtain written guidance regarding how to proceed. All blocked dens shall be unblocked within 48 hours of completion of Covered Activities within the no-disturbance buffer zones described in Condition of Approval SJKF Den Avoidance above.

- 7.45. SJKF Den Excavation.** The Designated Biologist or individuals under direct supervision of the Designated Biologist shall fully excavate SJKF dens (including dens in natural substrate and in/under man-made structures) that cannot be avoided per Condition of Approval SJKF Den Avoidance above. Den excavations shall be performed in the following manner for each type of SJKF den:

- Potential SJKF den: A potential den may be excavated only after the Designated Biologist has first confirmed that the subterranean hole, three inches or larger, has no evidence (SJKF scat, tracks, prey remains, "keyhole

shape" burrow entrance, etc.) present to conclude that the den is being used or has been used by a SJKF.

- Known SJKF den: A known SJKF den shall be excavated immediately after the Designated Biologist has conducted four (4) consecutive nights of monitoring with tracking medium and wildlife camera with daytime and nighttime recording/photo-capture capabilities and determined that SJKF are not currently present.
- SJKF Natal Den: A SJKF natal den shall not be excavated until the Designated Biologist has conducted at least four (4) consecutive nights of monitoring with tracking medium and wildlife camera with daytime and nighttime recording/photo-capture capabilities and determined that SJKF pups and adults have vacated the den, and then only after written concurrence from CDFW has been received.

If the excavation process reveals evidence of current use by SJKF, then den excavation shall cease immediately and tracking medium and camera monitoring as described above shall be conducted/resumed. Excavation of the den shall only resume and be completed when, in the judgment of the Designated Biologist, the SJKF has escaped from the partially excavated den. SJKF dens shall be carefully excavated until it is clear no individuals of SJKF are inside.

Following excavation, dens shall be filled with dirt and compacted to ensure that SJKF cannot reenter or use the den during the period that Covered Activities occur in the Project Area. If an individual SJKF does not vacate a den within the Project Area within a reasonable timeframe, Permittee shall consult with CDFW, and Permittee shall obtain written guidance from CDFW prior to proceeding with den excavation. An established SJKF den no-disturbance buffer may be removed once a den has been fully excavated.

- 7.46. SJKF Den Replacement Plan.** Permittee shall replace each known and natal SJKF den as defined in Condition of Approval SJKF Den Avoidance that cannot be avoided within the Project Area with an artificial den to compensate for the loss of important shelter used by SJKF for protection, reproduction, and escape from predators. Den excavation within the Project Area shall not proceed until the SJKF Den Replacement Plan is approved in writing by CDFW's Regional Representative. Permittee shall submit a SJKF Den Replacement Plan prepared by an approved SJKF Designated Biologist to CDFW at least 30 calendar days prior to starting Covered Activities.

The SJKF Den Replacement Plan shall include but not be limited to: a discussion and map of potential artificial den installation locations with distances to dens to be excavated in the Project Area; number of artificial dens to be installed for each den type lost; number of existing dens in the proposed installation location; description

and figure/schematic of the replacement den chamber, tunnel, and entrance dimensions (e.g., number, depth, and width of den chambers, number and width of den entrances and tunnels, and orientation of den entrances); artificial den installation materials and methods; and timing of SJKF artificial den installation/construction.

Once the SJKF Den Replacement Plan is approved by CDFW, it shall be used for the duration of this ITP unless updated by CDFW to reflect best available science in which case CDFW will contact the Permittee to discuss needed updates. Any proposed changes to the SJKF Den Replacement Plan shall be submitted, in writing, to CDFW and approved by CDFW in writing prior to implementation of any proposed SJKF Den Replacement Plan modifications.

8. Habitat Management Land Acquisition:

Based on observations of the Covered Species and Covered Species habitat features currently documented within the Project Area and vicinity, 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 with 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 Covered Species and habitat, and CDFW's estimate of the protected acreage required to provide for adequate compensation.

To meet this requirement, the Permittee shall either purchase 16.5 acres of Covered Species credits for each of the Covered Species from a CDFW-approved mitigation or conservation bank pursuant to Condition of Approval Covered Species Credits below OR shall provide for both the permanent protection and management of 16.5 acres of Habitat Management (HM) lands for each of the Covered Species pursuant to Condition of Approval Habitat Management Lands Acquisition and Protection below and the calculation and deposit of the management funds pursuant to Condition of Approval Endowment Fund below. The Covered Species credits may be nested, or grouped, if there are Covered Species credits that cover multiple Covered Species. If Covered Species credits are available for all of the Covered Species at the same CDFW-approved mitigation or conservation bank, only 16.5 acres of Covered Species credits are required. Similarly, the HM lands requirement may be nested if the HM lands support multiple Covered Species. If the HM lands support all of the Covered Species within the same property, only 16.5 acres of HM lands are required. Purchase of Covered Species credits OR permanent protection and funding for perpetual management of HM lands must be complete before starting Covered Activities, or within 18 months of the effective date of this ITP if Security is provided pursuant to Condition of Approval Security below for all uncompleted obligations.

- 8.1. Cost Estimates. For the purposes of determining the Security amount, CDFW has estimated the cost sufficient for CDFW or its contractors to complete acquisition, protection, and perpetual management of the HM lands as follows:
 - 8.1.1. Land acquisition costs for HM lands identified in Condition of Approval Habitat Management Lands Acquisition and Protection below, estimated at \$8000.00/acre for 16.5 acres: **\$132,000.00**. Land acquisitions costs are estimated using local fair market current value per acre for lands with habitat values meeting mitigation requirements;
 - 8.1.2. All other costs necessary to review and acquire the land in fee title and record a conservation easement as described in Condition of Approval Fee Title and Conservation Easement below: **\$352,500.00**;
 - 8.1.3. Start-up costs for HM lands, including initial site protection and enhancement costs as described in Condition of Approval Start-up Activities below, estimated at **\$51,791.08**;
 - 8.1.4. Interim management period funding as described in Condition of Approval Interim Management (Initial and Capital) below, estimated at **\$97,696.50**;
 - 8.1.5. Long-term management funding as described in Condition of Approval Endowment Fund below, estimated at \$34,362.47/acre for 16.5 acres: **\$566,980.80**. Long-term management funding is estimated initially for the purpose of providing Security to ensure implementation of HM lands management;
 - 8.1.6. Related transaction fees including but not limited to account set-up fees, administrative fees, title and documentation review and related title transactions, expenses incurred from other state agency reviews, and overhead related to transfer of HM lands to CDFW as described in Condition of Approval Reimburse CDFW, estimated at **\$15,000.00**; and
 - 8.1.7. CDFW engaging an external contractor to complete the mitigation tasks, including but not limited to acquisition, protection, and perpetual funding and management of the HM lands and restoration of temporarily disturbed habitat. These costs include but are not limited to the cost of issuing a request for proposals, transaction costs, contract administration costs, and costs associated with monitoring the contractor's work **\$43,500.00**.
- 8.2. Covered Species Credits. If the Permittee elects to purchase Covered Species credits to complete compensatory mitigation obligations, then Permittee shall purchase 16.5 acres of Covered Species credits for each of the Covered Species from a CDFW-approved mitigation or conservation bank prior to initiating Covered Activities, or no later than 18 months from the issuance of this ITP if Security is

provided pursuant to Condition of Approval Security below. As stated in Condition of Approval Habitat Management Land Acquisition, Covered Species credits may be nested if there are Covered Species Credits that cover multiple Covered Species. If Covered Species credits are available for all of the Covered Species at the same CDFW-approved mitigation or conservation bank, only 16.5 acres of Covered Species credits are required.

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. Permittee shall submit to CDFW a copy of the Bill of Sale(s) and Payment Receipt prior to initiating Covered Activities or within 18 months from issuance of this ITP if Security is provided. Prior to transfer 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.

OR

8.3. Habitat Management Lands Acquisition and Protection. If the Permittee elects to provide for the acquisition, permanent protection, and perpetual management of HM lands to complete compensatory mitigation obligations, then the Permittee shall:

8.3.1. Fee Title. Transfer fee title of the HM lands to CDFW pursuant to terms approved in writing by CDFW. Alternatively, CDFW, in its sole discretion, may authorize a governmental entity, special district, non-profit organization, for-profit entity, person, or another entity to hold title to and manage the property provided that the district, organization, entity, or person meets the requirements of Government Code sections 65965-65968, as amended.

8.3.2. Conservation Easement. If CDFW does not hold fee title to the HM lands, CDFW shall act as grantee for a conservation easement over the HM lands or shall, in its sole discretion, approve a non-profit entity, public agency, or Native American tribe to act as grantee for a conservation easement over the HM lands provided that the entity, agency, or tribe meets the requirements of Civil Code section 815.3. If CDFW elects not to be named as the grantee for the conservation easement, CDFW shall be expressly named in the conservation easement as a third-party beneficiary. The Permittee shall obtain CDFW written approval of any conservation easement before its execution or recordation. No conservation easement shall be approved by CDFW unless it complies with Civil Code sections 815-816, as amended, and Government Code sections 65965-65968, as amended and includes provisions expressly addressing Government Code sections 65966(j) and 65967(e). Because

the “doctrine of merger” could invalidate the conservation interest, under no circumstances can the fee title owner of the HM lands serve as grantee for the conservation easement.

- 8.3.3. HM Lands Approval.** Obtain CDFW written approval of the HM lands before acquisition and/or transfer of the land by submitting, at least three months before acquisition and/or transfer of the HM lands, documentation identifying the land to be purchased or property interest conveyed to an approved entity as mitigation for the Project’s impacts on Covered Species;
- 8.3.4. HM Lands Documentation.** Provide a recent preliminary title report, Phase I Environmental Site Assessment, and other necessary documents (please contact CDFW for document list). All documents conveying the HM lands and all conditions of title are subject to the approval of CDFW, and if applicable, the Wildlife Conservation Board and the Department of General Services;
- 8.3.5. Land Manager.** Designate both an interim and long-term land manager approved by CDFW. The interim and long-term land managers may, but need not, be the same. The interim and/or long-term land managers may be the landowner or another party. Documents related to land management shall identify both the interim and long-term land managers. Permittee shall notify CDFW of any subsequent changes in the land manager within 30 days of the change. If CDFW will hold fee title to the mitigation land, CDFW will also act as both the interim and long-term land manager unless otherwise specified. The grantee for the conservation easement cannot serve as the interim or long-term manager without the express written authorization of CDFW in its sole discretion.
- 8.3.6. Start-up Activities.** Provide for the implementation of start-up activities, including the initial site protection and enhancement of HM lands, once the HM lands have been approved by CDFW. Start-up activities include, at a minimum: (1) preparing a final management plan for CDFW approval (see optional management plan template at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=227736>); (2) conducting a baseline biological assessment and land survey report within four months of recording or transfer; (3) developing and transferring Geographic Information Systems (GIS) data if applicable; (4) establishing initial fencing; (5) conducting litter removal; (6) conducting initial habitat restoration or enhancement, if applicable; and (7) installing signage;
- 8.3.7. Interim Management (Initial and Capital).** Provide for the interim management of the HM lands. The Permittee shall ensure that the interim land manager implements the interim management of the HM lands as

described in the final management plan and conservation easement approved by CDFW. The interim management period shall be a minimum of three years from the date of HM land acquisition and protection and full funding of the Endowment and includes expected management following start-up activities. Interim management period activities described in the final management plan shall include fence repair, continuing trash removal, site monitoring, vegetation and invasive species management, and Covered Species monitoring.

Permittee shall either (1) provide Security to CDFW for the minimum of three years of interim management that the land owner, Permittee, or land manager agrees to manage and pay for at their own expense, (2) establish an escrow account with written instructions approved in advance in writing by CDFW to pay the land manager annually in advance, or (3) establish a short-term enhancement account with CDFW or a CDFW-approved entity for payment to the land manager.

- 8.4. Endowment Fund.** If the Permittee elects to provide for the acquisition, permanent protection, and perpetual management of HM lands to complete compensatory mitigation obligations, then the Permittee shall ensure that the HM lands are perpetually managed, maintained, and monitored by the long-term land manager as described in this ITP, the conservation easement, and the final management plan approved by CDFW. After obtaining CDFW approval of the HM lands, Permittee shall provide long-term management funding for the perpetual management of the HM lands by establishing a long-term management fund (Endowment). The Endowment is a sum of money, held in a CDFW-approved fund that is permanently restricted to paying the costs of long-term management and stewardship of the mitigation property for which the funds were set aside, which costs include the perpetual management, maintenance, monitoring, and other activities on the HM lands consistent with this ITP, the conservation easement, and the management plan required by Condition of Approval Start-up Activities. Endowment as used in this ITP shall refer to the endowment deposit and all interest, dividends, other earnings, additions and appreciation thereon. The Endowment shall be governed by this ITP, Government Code sections 65965-65968, as amended, and Probate Code sections 18501-18510, as amended.

After the interim management period, Permittee shall ensure that the designated long-term land manager implements the management and monitoring of the HM lands according to the final management plan. The long-term land manager shall be obligated to manage and monitor the HM lands in perpetuity to preserve their conservation values in accordance with this ITP, the conservation easement, and the final management plan. Such activities shall be funded through the Endowment.

- 8.4.1. Identify an Endowment Manager.** The Endowment shall be held by the Endowment Manager, which shall be either CDFW or another entity qualified pursuant to Government Code sections 65965-65968, as amended.

Permittee shall submit to CDFW a written proposal that includes: (i) the name of the proposed Endowment Manager; (ii) whether the proposed Endowment Manager is a governmental entity, special district, nonprofit organization, community foundation, or congressionally chartered foundation; (iii) whether the proposed Endowment Manager holds the property or an interest in the property for conservation purposes as required by Government Code section 65968(b)(1) or, in the alternative, the basis for finding that the Project qualifies for an exception pursuant to Government Code section 65968(b)(2); and (iv) a copy of the proposed Endowment Manager's certification pursuant to Government Code section 65968(e).

Within thirty days of CDFW's receipt of Permittee's written proposal, CDFW shall inform Permittee in writing if it determines the proposal does not satisfy the requirements of Fish and Game Code section 2081(b)(3) and, if so, shall provide Permittee with a written explanation of the reasons for its determination. If CDFW does not provide Permittee with a written determination within the thirty-day period, the proposal shall be deemed consistent with Section 2081(b)(3).

- 8.4.2. Calculate the Endowment Funds Deposit.** After obtaining CDFW written approval of the HM lands, long-term management plan, and Endowment Manager, Permittee shall prepare an endowment assessment (equivalent to a Property Analysis Record (PAR)) to calculate the amount of funding necessary to ensure the long-term management of the HM lands (Endowment Deposit Amount). Note that the endowment for the easement holder should not be included in this calculation. The Permittee shall submit to CDFW for review and approval the results of the endowment assessment before transferring funds to the Endowment Manager.

8.4.2.1. Capitalization Rate and Fees. Permittee shall obtain the capitalization rate from the selected Endowment Manager for use in calculating the endowment assessment and adjust for any additional administrative, periodic, or annual fees.

8.4.2.2. Endowment Buffers/Assumptions. Permittee shall include in the endowment assessment assumptions the following buffers for endowment establishment and use that will substantially ensure long-term viability and security of the Endowment:

8.4.2.2.1. 10 Percent Contingency. A 10 percent contingency shall be added to each endowment calculation to hedge against underestimation of the fund, unanticipated expenditures, inflation, or catastrophic events.

8.4.2.2.2. Three Years Delayed Spending. The endowment shall be established assuming spending will not occur for the first three years after full funding.

8.4.2.2.3. Non-annualized Expenses. For all large capital expenses to occur periodically but not annually such as fence replacement or well replacement, payments shall be withheld from the annual disbursement until the year of anticipated need or upon request to Endowment Manager and CDFW.

8.4.3. Transfer Long-term Endowment Funds. Permittee shall transfer the long-term endowment funds to the Endowment Manager upon CDFW approval of the Endowment Deposit Amount identified above.

8.4.4. Management of the Endowment. The approved Endowment Manager may pool the Endowment with other endowments for the operation, management, and protection of HM lands for local populations of the Covered Species but shall maintain separate accounting for each Endowment. The Endowment Manager shall, at all times, hold and manage the Endowment in compliance with this ITP, Government Code sections 65965-65968, as amended, and Probate Code sections 18501-18510, as amended.

Notwithstanding Probate Code sections 18501-18510, the Endowment Manager shall not make any disbursement from the Endowment that will result in expenditure of any portion of the principal of the endowment without the prior written approval of CDFW in its sole discretion. Permittee shall ensure that this requirement is included in any agreement of any kind governing the holding, investment, management, and/or disbursement of the Endowment funds.

Notwithstanding Probate Code sections 18501-18510, if CDFW determines in its sole discretion that an expenditure needs to be made from the Endowment to preserve the conservation values of the HM lands, the Endowment Manager shall process that expenditure in accordance with directions from CDFW. The Endowment Manager shall not be liable for any shortfall in the Endowment resulting from CDFW's decision to make such an expenditure.

8.5. Reimburse CDFW. Permittee shall reimburse CDFW for all reasonable costs incurred by CDFW related to issuance and monitoring of this ITP, including, but not limited to transaction fees, account set-up fees, administrative fees, title and documentation review and related title transactions, costs incurred from other state agency reviews, and overhead related to transfer of HM lands to CDFW.

9. Security: The Permittee may proceed with Covered Activities only after the Permittee has ensured funding (Security) to complete any activity required by Condition of Approval Habitat Management Land Acquisition that has not been completed before Covered Activities begin. Permittee shall provide Security as follows:

9.1. Security Amount. The Security shall be in the amount of **\$1,259,468.38** determined by CDFW based on the cost estimates identified in Condition of Approval Cost Estimates above, sufficient for CDFW or its contractors to complete land acquisition, property enhancement, startup costs, initial management, long-term management, and monitoring.

9.2. Security Form. The Security shall be in the form of an irrevocable letter of credit, escrow agreement, surety bond, or another form of Security (please contact CDFW for Security form template) approved in advance in writing by CDFW's Office of the General Counsel.

9.3. Security Timeline. The Security shall be provided in draft form for CDFW review and approval at least 30 calendar days before Covered Activities begin or within 30 days after the effective date of this ITP, whichever occurs first.

9.4. Security Holder. The Security shall be held by CDFW or in a manner approved in advance in writing by CDFW.

9.5. Security Transmittal. Permittee shall transmit security to CDFW by way of an approved instrument such as an escrow agreement, irrevocable letter of credit, or other.

9.6. Security Drawing. The Security shall allow CDFW to draw on the principal sum if CDFW, in its sole discretion, determines that the Permittee has failed to comply with the Conditions of Approval of this ITP.

9.7. Security Release. The Security (or any portion of the Security then remaining) shall be released to the Permittee after CDFW has conducted an on-site inspection and received confirmation that all secured requirements have been satisfied, as evidenced by:

Credit Purchase

- Copy of Bill of Sale(s) and Payment Receipt(s) or Credit Transfer Agreement for the purchase of Covered Species credits; and

- Timely submission of all required reports.

OR

Habitat Management Land Acquisition

- Written documentation of the acquisition of the HM lands;
- Copies of all executed and recorded conservation easements;
- Written confirmation from the approved Endowment Manager of its receipt of the full Endowment; and
- Timely submission of all required reports.

Even if Security is provided, the Permittee must complete the required acquisition, protection and transfer of all HM lands and record any required conservation easements no later than 18 months from the effective date of this ITP. CDFW may require the Permittee to provide additional HM lands and/or additional funding to ensure the impacts of the taking are minimized and fully mitigated, as required by law, if the Permittee does not complete these requirements within the specified timeframe.

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 the 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 the 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 the 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. Compliance with Other Laws:

This ITP sets forth CDFW's requirements for the 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.

XII. 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 the Permittee. Notices, reports, and other communications shall reference the Project name, Permittee, and ITP Number (2081-2024-013-04) 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
(559) 243-4005
R4CESA@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:

Sarah Bahm
California Department of Fish and Wildlife
1234 East Shaw Avenue
Fresno, California 93710
Telephone (559) 580-3195
Sarah.Bahm@wildlife.ca.gov

XIII. Compliance with CEQA:

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, DWR. (See generally Pub. Resources Code, §§ 21067, 21069.) The lead agency's prior environmental review of the Project is set forth in the California Aqueduct

Milepost 230.6 To 231.4 Investigation, Design, And Repair Project IS/MND (SCH No.: 2022030757) dated July 2022 and the California Aqueduct Subsidence And Groundwater Monitoring Project IS/MND (SCH No.: 2024060966) dated June 2024 that DWR adopted for the Projects on 28 July 2022 and 26 September 2024, respectively. At the time the lead agency adopted the IS/MNDs and approved the Projects, 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 MNDs for the Projects 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.

XIV. 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, subds. (b)-(c); Cal. Code Regs., tit. 14, §§ 783.4, subds, (a)-(b), 783.5, subd. (c)(2).)

CDFW finds based on substantial evidence in the ITP application, California Aqueduct Milepost 230.6 To 231.4 Investigation, Design, And Repair Project IS/MND and the California Aqueduct Subsidence And Groundwater Monitoring Project IS/MND, the results of site visits and consultations, 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; (4) Quarterly Compliance Reports; and (5) Annual Status 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 16.5 acres of compensatory habitat for each of the Covered Species 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

Incidental Take Permit
No. 2081-2024-013-04
CALIFORNIA DEPARTMENT OF WATER RESOURCES
CALIFORNIA AQUEDUCT MILEPOST 230.6 TO 231.4
STUDY DESIGN REPAIR PROJECT

the minimization, monitoring, reporting, and funding requirements of this ITP minimizes and fully mitigates the impacts of the taking caused by the Project;

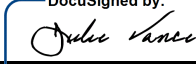
- (3) The take avoidance and mitigation measures required pursuant to the conditions of this ITP and its attachments are roughly proportional in extent to the impacts of the taking authorized by this ITP;
- (4) The measures required by this ITP maintain Permittee's objectives to the greatest extent possible;
- (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 the Permittee as necessary to avoid jeopardy and as required by law.

XV. Attachments:

FIGURE 1	Project Vicinity Map
FIGURE 2	Project Location and Access Route Map
FIGURE 3	Geotechnical Investigations
FIGURE 4	Embankment Repair Alternatives
FIGURE 5	Total Project Footprint
FIGURE 6	Project Land Cover Types and Covered Species Habitat Area
ATTACHMENT 1	Mitigation Monitoring and Reporting Program
ATTACHMENT 2	Biologist Resume Form

ISSUED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

ON 12/9/2025

DocuSigned by:

FA83F09FE08945A...
Julie A. Vance, Regional Manager
CENTRAL REGION

Incidental Take Permit
No. 2081-2024-013-04
CALIFORNIA DEPARTMENT OF WATER RESOURCES
CALIFORNIA AQUEDUCT MILEPOST 230.6 TO 231.4
STUDY DESIGN REPAIR PROJECT

Figure 1. Project Vicinity

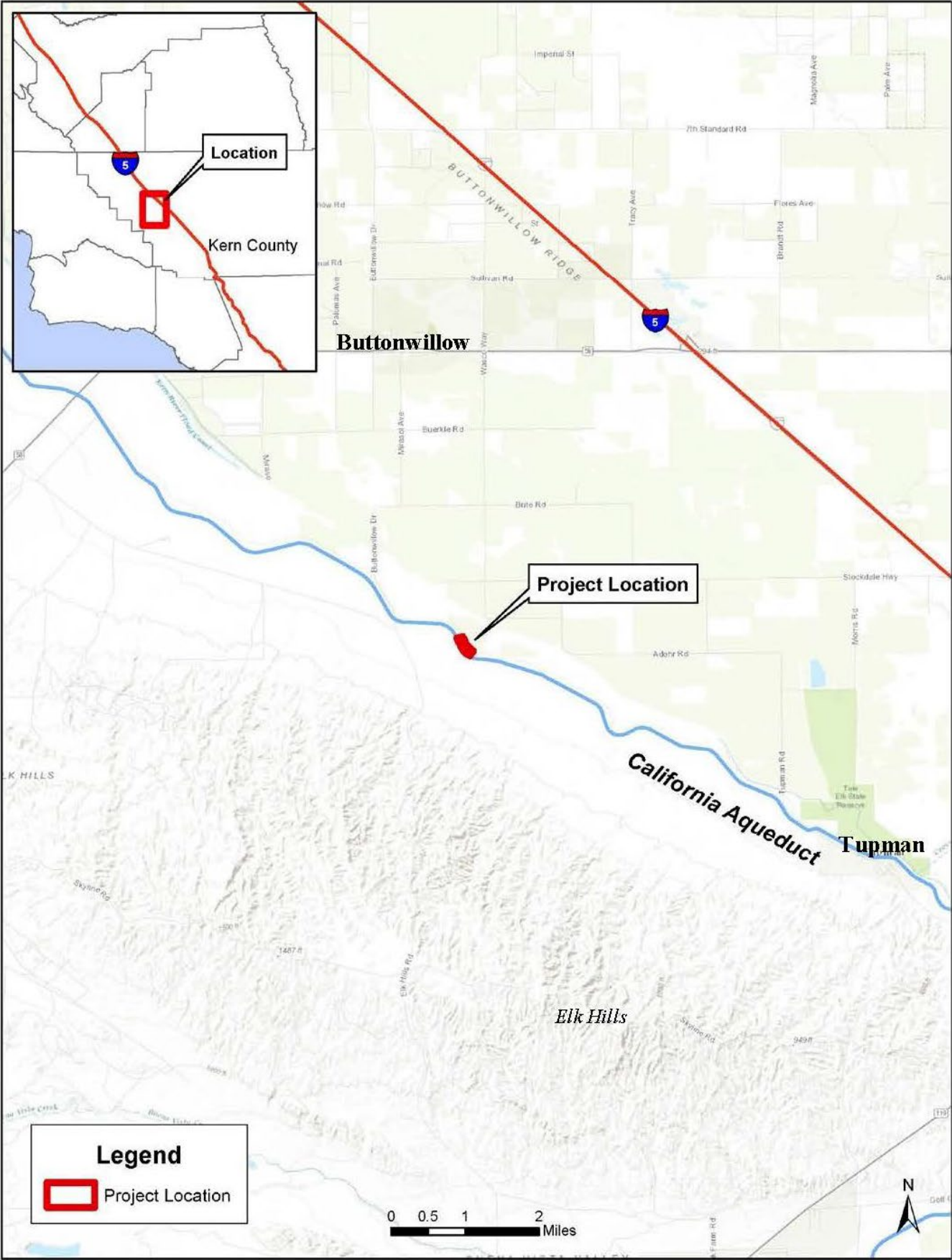


Figure 2. Project Location and Access Route

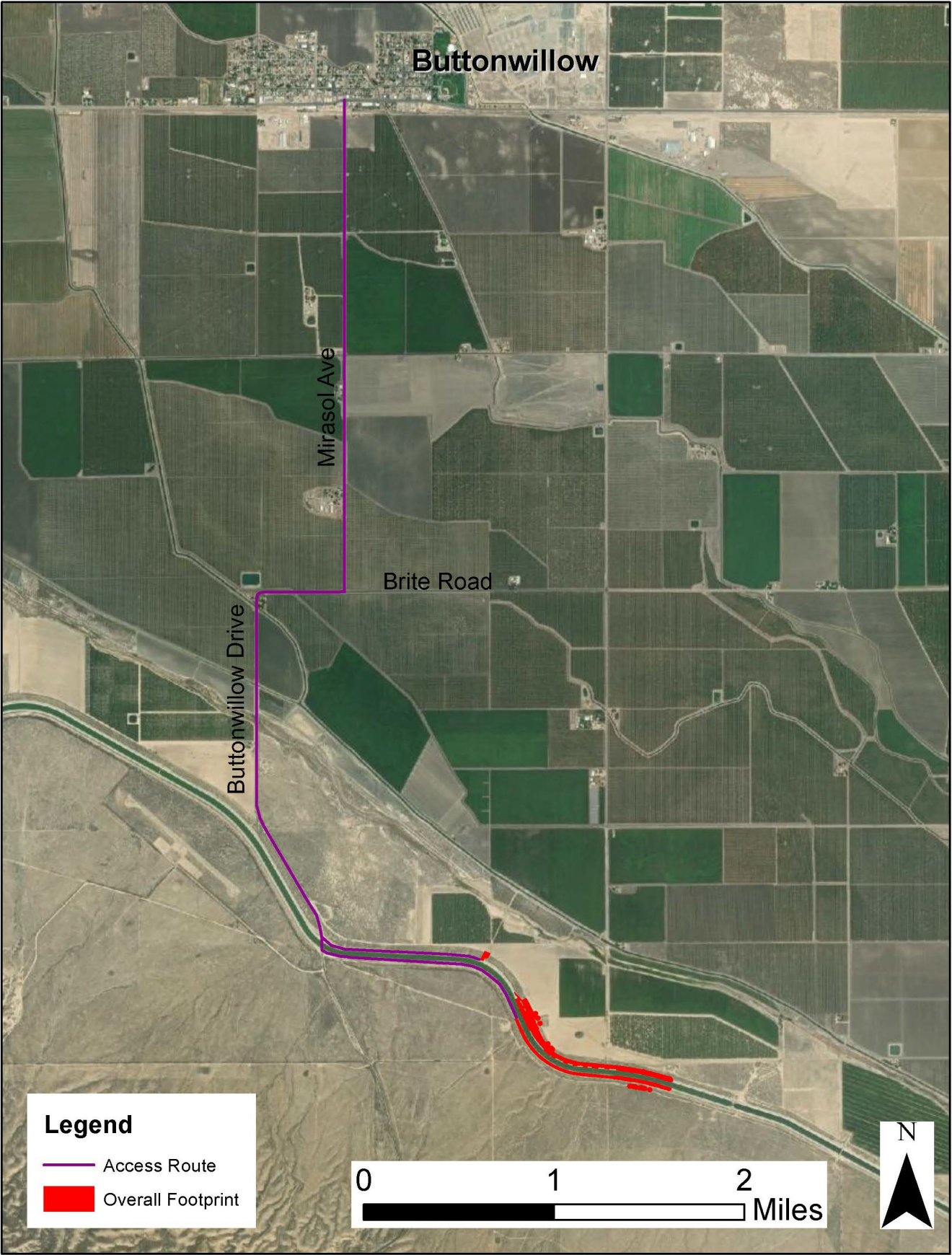


Figure 3. Geotechnical Investigations

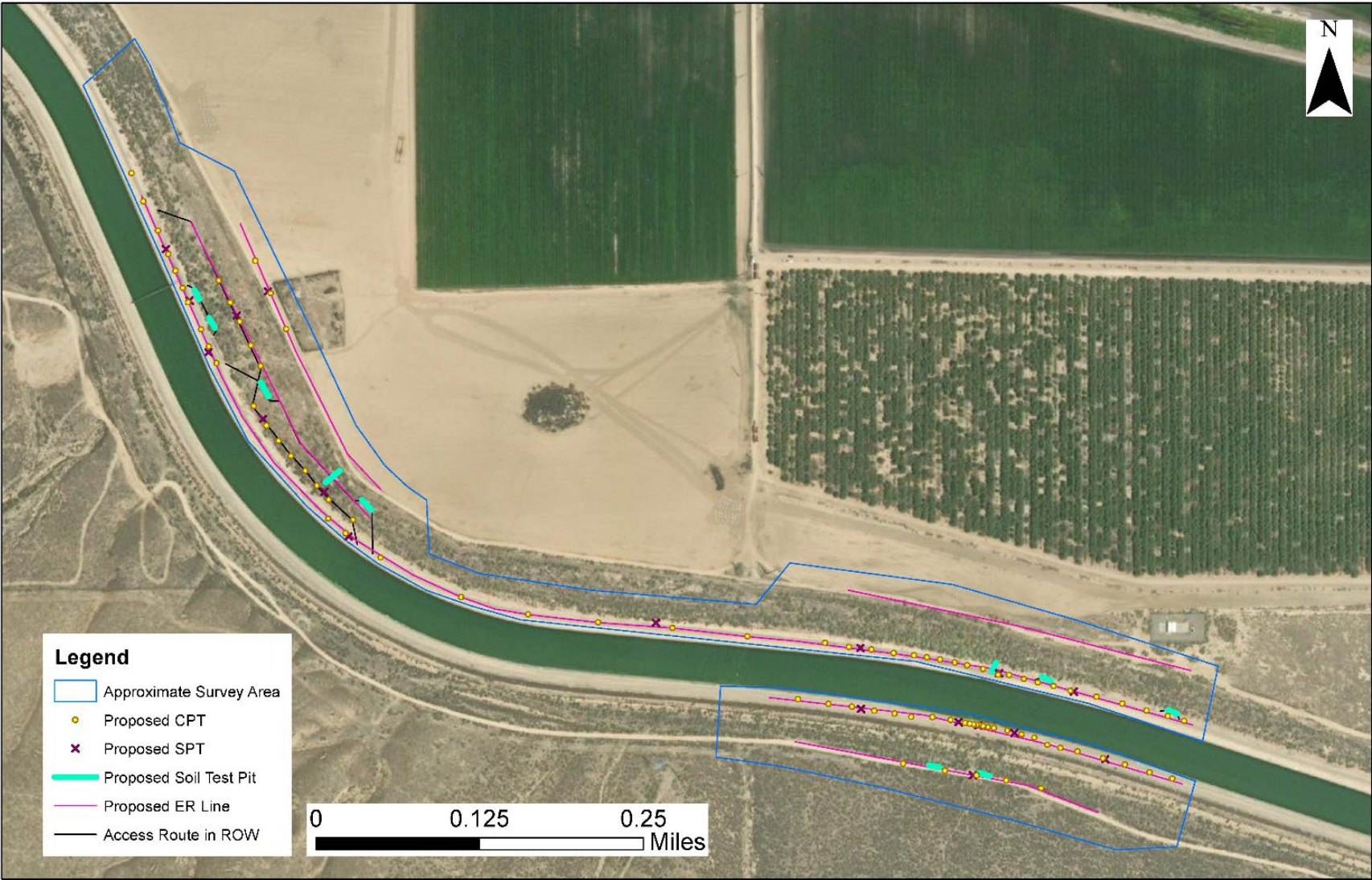
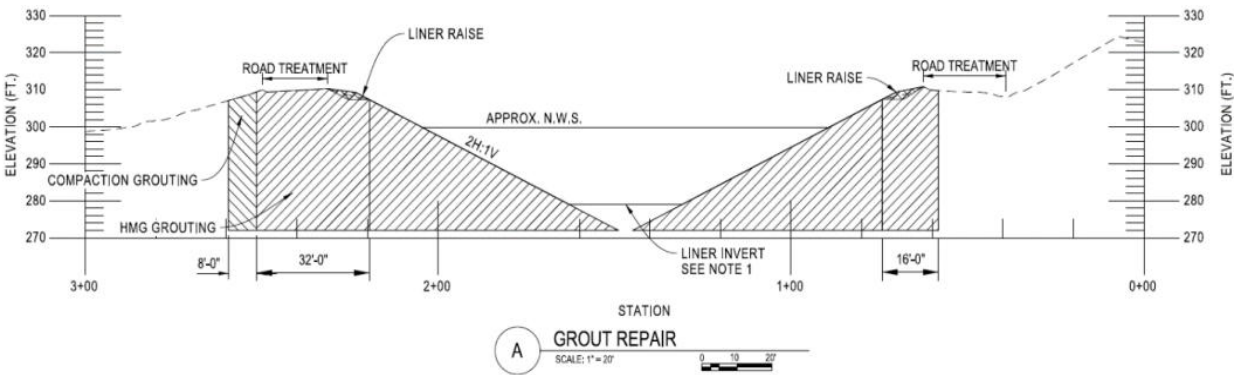
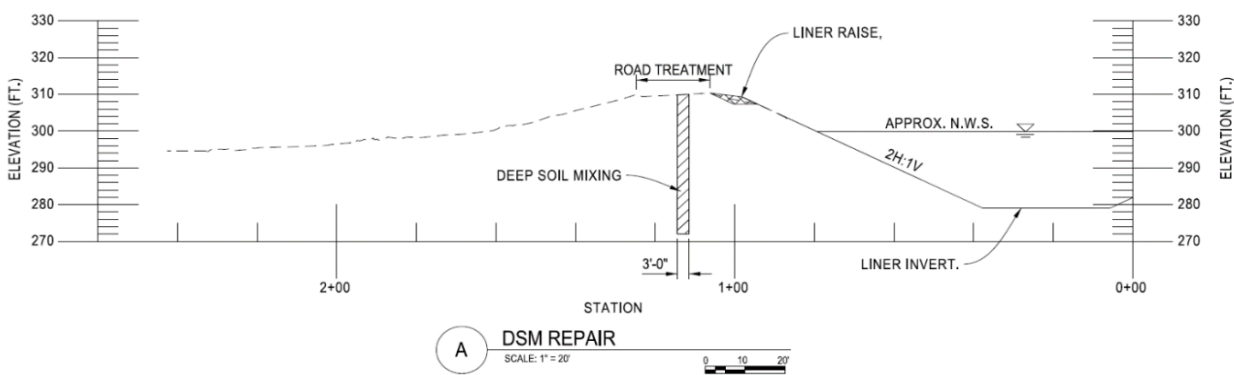


Figure 4. Embankment Repair Alternatives

Cross Section of Embankment with Grouting Alternative



Cross Section of Embankment with Deep Soil Mixing Alternative



Cross Section of Embankment with Cut Off Wall Alternative

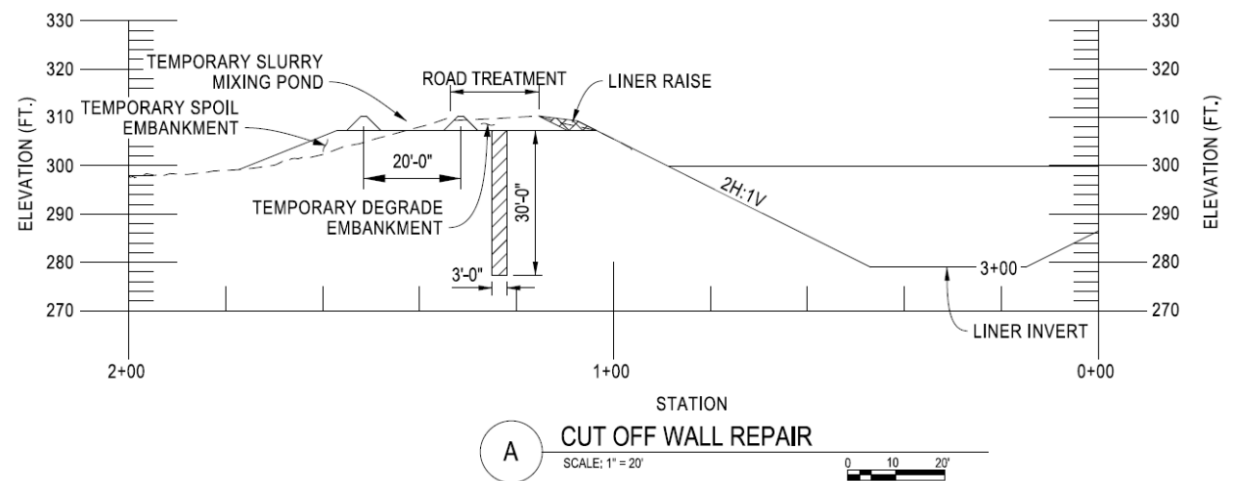


Figure 5. Total Project Footprint of all Combined Activities.

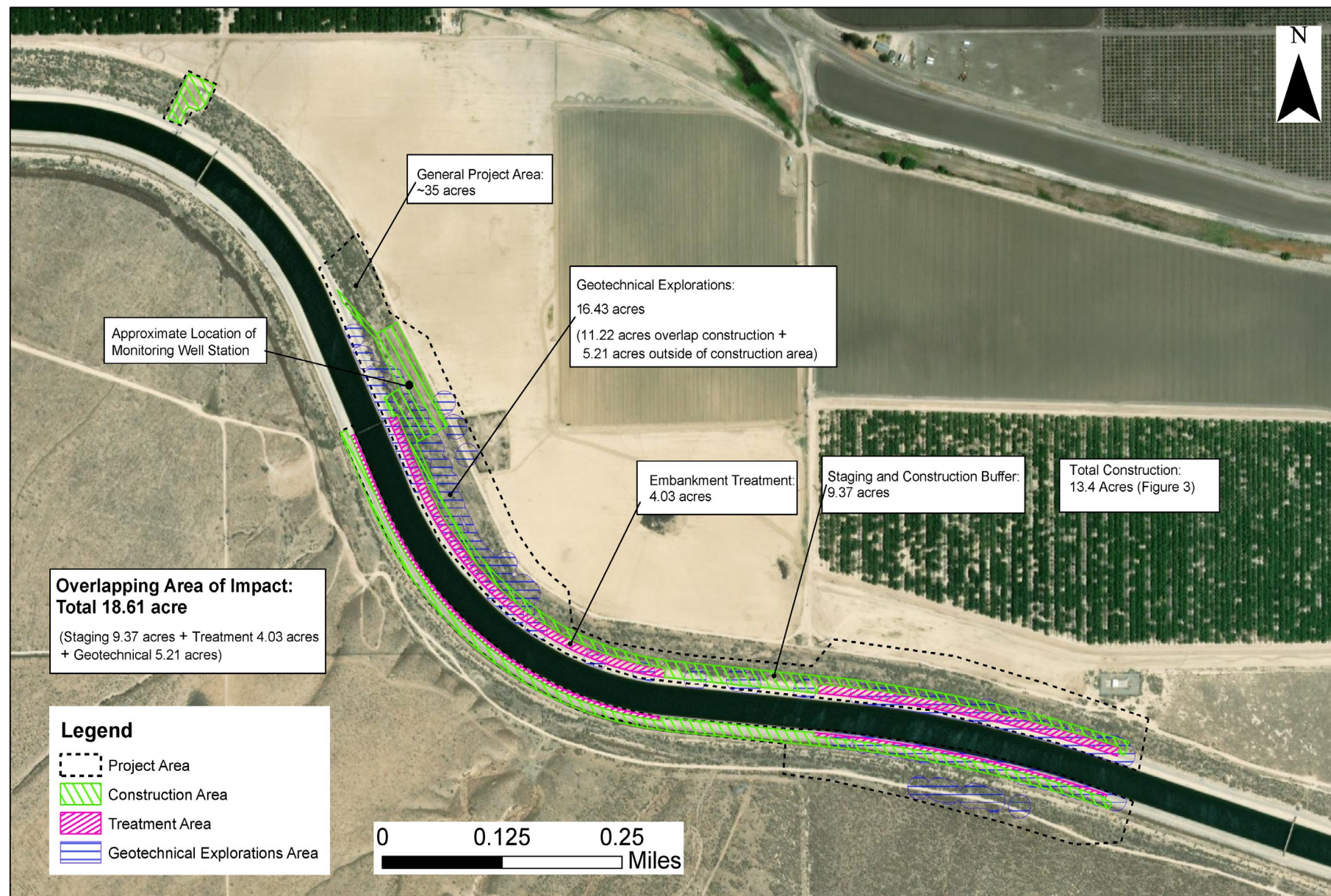
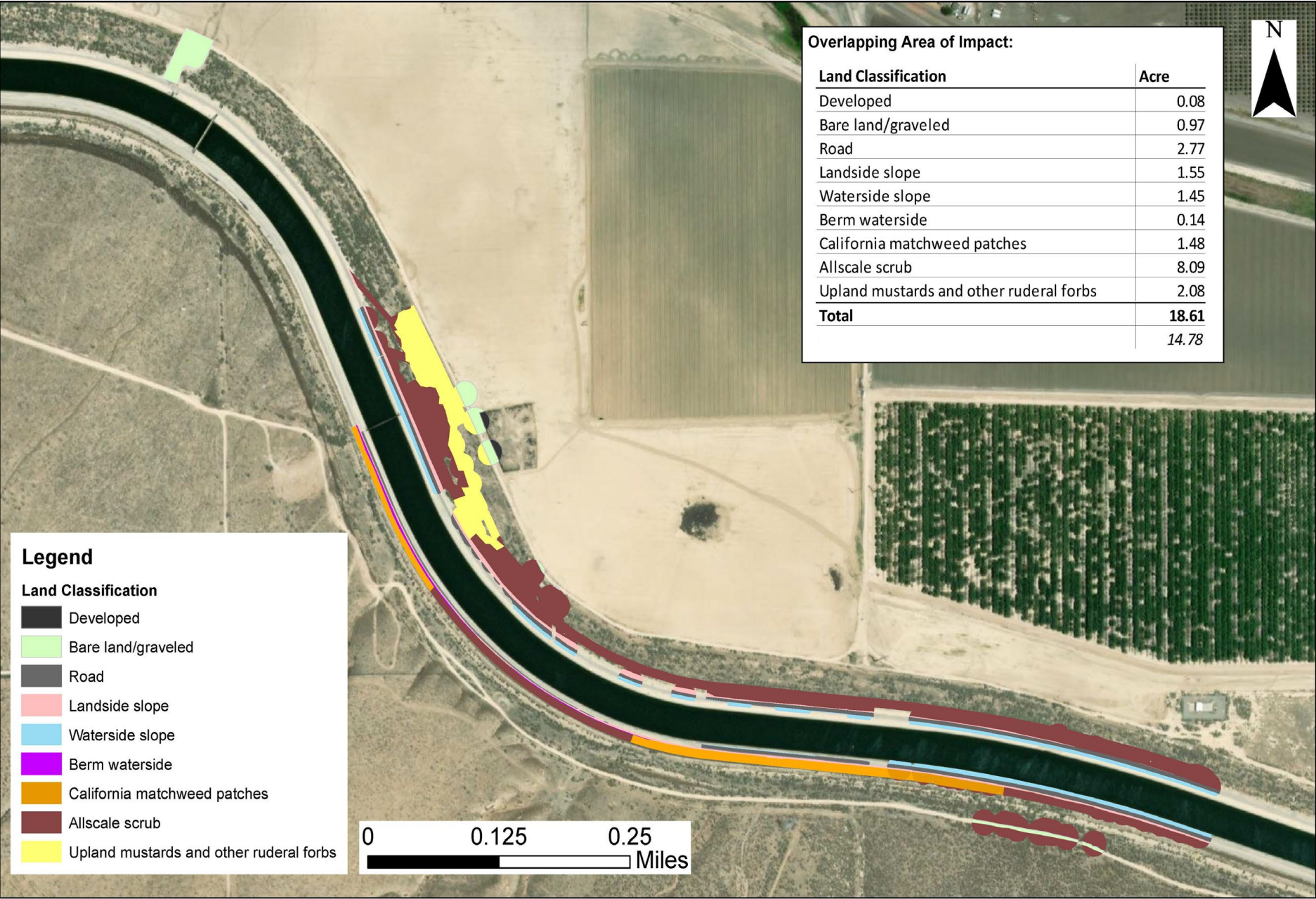


Figure 6. Project Land Cover Types and Covered Species Habitat Area



Attachment 1

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

INCIDENTAL TAKE PERMIT NO. 2081-2024-013-04

PERMITTEE: California Department of Water Resources

**PROJECT: California Aqueduct Milepost 230.6 To 231.4 Study
Design Repair Project**

PURPOSE OF THE MMRP

The purpose of this 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	<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.	ITP Condition # 5.1	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
2	<u>Designated Biologist(s) and Designated Monitor(s)</u> . Permittee shall submit to CDFW in writing the name, qualifications, business address, contact information, and references with contact information of Designated Biologist(s) and Designated Monitor(s) using the Biologist Resume Example (Attachment 2) or another format containing the same information. Permittee shall review qualifications before submission and ensure that the Designated Biologist(s) and Designated Monitor(s) are knowledgeable and experienced in Covered Species' biology and natural history. Permittee shall provide to CDFW the Designated Biologist's experience with collecting, handling, and excavating burrows to minimize mortality of GKR, TKR, and SJAS, as well as experience with monitoring, eviction, and excavation of dens being used by SJKF, and monitoring construction activities following the Conditions of Approval of an ITP for the Covered Species. CDFW may approve Designated Biologist(s) for one, some, or all Covered Species in the ITP. For example, CDFW may approve a Designated Biologist to implement all Conditions of Approval for GKR and TKR, approve a Designated Biologist to implement all Conditions of Approval for SJKF only, or approve a Designated Biologist to implement all Conditions of Approval for all Covered Species in the ITP. CDFW may approve Designated Monitor(s) not meeting the qualifications of a Designated Biologist to assist in compliance monitoring and/or implementation of Conditions of Approval as specified by CDFW. Designated Monitor responsibilities shall be restricted to specific Conditions of Approval specified by the Permittee or Designated Representative at the time their qualifications are submitted for review. Designated Monitor(s) and their specific activities shall be approved in advance and in writing by CDFW. Designated Biologist(s) and Designated 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 Designated Monitor(s) in writing before starting Covered Activities and shall also obtain approval in advance, in writing, if the Designated Biologist(s) or Designated Monitor(s) must be changed.	ITP Condition # 5.2	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
3	<u>Education Program</u> . Permittee shall conduct an education program for all persons employed or otherwise working in the Project Area before they can perform any work. The program shall consist of a presentation from the 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 the 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 and translation 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. Permittee shall provide CDFW with a copy of all education program materials before starting Covered Activities and copies of the signed acknowledgment forms as described in Condition of Approval <u>Quarterly Compliance Reports</u> .	ITP Condition # 5.4	Before commencing ground- or vegetation-disturbing activities / Entire Project	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>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. Permittee shall keep the amount of water used to the minimum amount needed and shall not allow water to form puddles.	ITP Condition # 5.7	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
6	<u>Delineation of Project Area Boundaries</u> . Before starting Covered Activities, Permittee shall clearly delineate the boundaries of the Project Area where the ground- or vegetation-disturbing Covered Activities will occur with fencing, stakes, or flags along any part of the route in active construction. Permittee shall restrict all Covered Activities to within the fenced, staked, or flagged Project Area. Permittee shall maintain all fencing, stakes, and flags until the completion of Covered Activities in the Project Area and remove, and properly dispose of, all delineation materials immediately upon completion.	ITP Condition # 5.11	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
7	<u>Delineation of Habitat</u> . Permittee shall clearly delineate habitat of the Covered Species within the Project Area with posted signs, posting stakes, flags, and/or rope or cord, and place fencing as necessary to minimize the disturbance of Covered Species' habitat. Permittee shall maintain all signs, stakes, flags, rope or cord, and fencing until the completion of Covered Activities in the Project Area and remove, and properly dispose of, all habitat delineation materials immediately upon completion.	ITP Condition # 5.12	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
8	<u>Notification Before Commencement</u> . The Designated Representative shall notify CDFW at least 15 calendar days prior to the start of Covered Activities and shall document compliance with all pre-Project Conditions of Approval.	ITP Condition # 6.1	Before commencing ground- or vegetation-disturbing activities	Permittee	
9	<u>Geographic Information Systems Data Files</u> . Within 15 calendar days prior to Project commencement and no later than 45 calendar days after the completion of each component of the Project, the Permittee shall provide CDFW with Geographic Information Systems (GIS) data files for the temporary and/or permanent habitat impact areas authorized under the ITP for each Covered Species. If more than one Covered Species occurs within the same area, the Permittee shall provide a separate set of GIS data files for each species. If habitat for a Covered Species will be both temporarily and permanently impacted, the Permittee shall also provide a separate set of GIS data files for each impact type for each species. The Permittee shall also provide any additional requested GIS data files for the Project or related Covered Species features within 30 days of CDFW's request. All GIS data files shall be provided in a format acceptable to CDFW.	ITP Condition # 6.3	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
10	<u>Record of Covered Species Relocated</u> . The Designated Biologist shall maintain a record of all Covered Species handled and observed. 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 handled or observed; (4) the general condition and health, noting all visible conditions including gait and behavior, ectoparasites, injuries, etc.; (5) any diagnostic markings, sex, age (juvenile or adult); (6) actions undertaken; (7) habitat description; and (8) 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 Condition of Approval <u>CNDDDB Observations</u> . The Designated Biologist shall prepare a Relocation Summary and include it in the Monthly Compliance and Annual Status Reports described in Conditions of Approval <u>Quarterly Compliance Report</u> and <u>Annual Status Report</u> , respectively. The Relocation Summary in the Final Mitigation Report described in Condition of Approval <u>Final Mitigation Report</u> shall include cumulative results, analysis of data collected, and conclusions.	ITP Condition # 6.5	Before commencing ground- or vegetation-disturbing activities / Entire Project	Designated Biologist	
11	<u>Delineation of Ingress and Egress Routes</u> . Permittee shall flag or otherwise clearly mark all access routes in the field from the paved road. Vehicle and equipment operation shall be limited to these designated, marked ingress and egress routes.	ITP Condition # 7.4	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
12	<u>Delineation of Environmentally Sensitive Areas</u> . Permittee shall clearly delineate Environmentally Sensitive Areas before Covered Activities commence in the Project Area. Environmentally Sensitive Areas shall be marked with brightly colored markers visible to workers with posted signs, posting stakes, flags, and/or rope or cord, and place fencing as necessary to minimize the disturbance of Covered Species. Environmentally Sensitive Areas are defined as all areas that warrant special protection and no-disturbance exclusion buffers as defined in Condition of Approval <u>GKR Burrow Avoidance</u> , <u>TKR Burrow Avoidance</u> , <u>SJAS Burrow Avoidance</u> , and <u>SJKF Den Avoidance</u> . Permittee shall maintain Environmentally Sensitive Area markers in good repair for the duration of the Covered Activities in the Project Area. All markers shall be removed and properly disposed of immediately upon completion of Covered Activities in the Project Area. No Covered Activities are allowed within Environmentally Sensitive Areas except as described in Conditions of Approval <u>Exclusion Fencing Installation and Inspection</u> , <u>GKR Pre-Construction Surveys and Reporting</u> , <u>TKR Pre-Construction Surveys and Reporting</u> , <u>SJAS Pre-Construction Surveys and Reporting</u> , and <u>SJKF Pre-Activity Surveys and Den Map Reporting</u> .	ITP Condition # 7.15	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
13	<u>Vegetation Removal</u> . Prior to beginning Covered Activities, Permittee shall cut/clip and remove any woody vegetation (i.e., shrubs) within the Project Area that will be disturbed by Covered Activities to encourage Covered Species to move out of the area. The Designated Biologist shall supervise shrub removal to ensure hand tools are used to cut/clip the vegetation at the base of the plants.	ITP Condition # 7.16	Before commencing ground- or vegetation-disturbing activities	Permittee / Designated Biologist	
14	<u>Exclusion Fencing Plan</u> . Permittee shall install temporary exclusion fencing around each Work Area within the Project Area, including workspaces and staging areas. At least 30 days prior to commencing Covered Activities, Permittee shall submit an Exclusion Fencing Plan for review and approval in writing by CDFW prior to installation. The Exclusion Fencing Plan shall include but not be limited to the fencing material, fencing design, installation methods and timing, access gate(s) design and location(s), and a map of installation location(s) at each Work Area in the Project Area.	ITP Condition # 7.17	Before commencing ground- or vegetation-disturbing activities	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
15	<p><u>Exclusion Fencing Installation and Inspection.</u> The Designated Biologist shall accompany the exclusion fence installation crew to ensure that Covered Species are not killed or injured during fence installation. The Designated Biologist shall ensure all burrow and den entrances are avoided (i.e., not covered) by fencing material during fence installation. Permittee shall ensure that exclusion fencing remains in place and is supported sufficiently to maintain the exclusion fence under all conditions such as wind and heavy rain.</p> <p>The Designated Biologist shall inspect the Temporary Exclusion Fencing daily when Covered Activities are occurring within the Project Area and at least once weekly during periods of inactivity. The Designated Biologist or Permittee shall maintain and immediately repair the fence when necessary. All fencing and associated materials shall be removed immediately upon completion of Covered Activities within each Work Area in the Project Area.</p>	ITP Condition # 7.18	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
16	<p><u>GKR Mortality Reduction and Relocation Plan.</u> Permittee shall submit a GKR Mortality Reduction and Relocation Plan to CDFW at least 30 days prior to beginning Covered Activities. Trapping, burrow excavation, and other relocation activities shall not proceed until this plan has been approved in writing by CDFW's Regional Representative. The GKR Mortality Reduction and Relocation Plan shall include but not be limited to: timing; detailed description of trapping methodology; detailed burrow excavation methods; release location(s); detailed release methods (i.e., soft release or another method); artificial burrow design and installation methods; and identification of a wildlife rehabilitation center or veterinary facility capable of and willing to treat injured GKR. Only a Designated Biologist is authorized to capture, handle, and relocate GKR unless a Designated Monitor is specifically approved in writing.</p> <p>Once the GKR Mortality Reduction and Relocation Plan is approved in writing by CDFW, it shall be used for all GKR mortality reduction activities for the duration of the ITP unless updated by CDFW to reflect best available science in which case CDFW will contact the Permittee to discuss needed revisions. Any proposed changes to the CDFW-approved GKR Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed GKR Mortality Reduction and Relocation Plan modifications.</p>	ITP Condition # 7.22	Before commencing ground- or vegetation-disturbing activities	Permittee / Designated Biologist	
17	<p><u>GKR Pre-Construction Surveys and Reporting.</u> No more than 14 calendar days prior to beginning Covered Activities, the Designated Biologist shall conduct pre-construction surveys in each Work Area and 50 feet beyond the limits of the Work Area to identify, flag, and map all GKR burrows and precincts. Permittee shall provide the results in a GKR Burrow Map and written report to CDFW's Regional Representative within five calendar days after survey completion. The report shall include but not be limited to the methodology, date and time of survey, a discussion and map of the locations of each GKR burrow and/or precinct, distances of burrows or precincts to Work Areas, and the dates when GKR trapping and relocation will occur as described in Condition of Approval <u>GKR Relocation</u>.</p>	ITP Condition # 7.23	Before commencing ground- or vegetation-disturbing activities	Designated Biologist / Permittee	
18	<p><u>GKR Burrow Avoidance.</u> The Designated Biologist shall establish a no-disturbance buffer of 50 feet or greater around suspected or known GKR burrows and precincts within or adjacent to the Work Area that will be impacted by vegetation- or ground-disturbing Covered Activities. If the 50-foot no-disturbance buffer cannot be established, live trapping, relocation, and burrow excavation shall occur in accordance with Conditions of Approval <u>GKR Relocation</u>, <u>GKR Relocation Timing and Weather Constraints</u>, and <u>GKR Burrow Excavation</u>. A buffer reduction request may be submitted to CDFW to allow for retaining burrows or precincts that could otherwise be reasonably avoided and un-damaged by vegetation- or ground-disturbing activities and potentially available to GKR post construction in accordance with Condition of Approval <u>Covered Species Buffer Reduction</u>.</p>	ITP Condition # 7.24	Before commencing ground- or vegetation-disturbing activities / Entire Project	Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
19	<p><u>GKR Relocation.</u> The Designated Biologist shall conduct live-trapping at GKR burrows detected within each Work Area that cannot be avoided per Condition of Approval <u>GKR Burrow Avoidance</u> for at least four (4) consecutive nights prior to commencing ground- or vegetation-disturbing Covered Activities. The Designated Biologist shall relocate any captured GKR to the CDFW-approved release site identified in the approved <u>GKR Mortality Reduction and Relocation Plan</u>.</p> <p>The Designated Biologist shall relocate any haystacks, seed caches, and seed stores found with live-trapped GKR with the associated individual GKR by placing those materials at the release location with that individual. Any captured lactating/nursing female or dependent GKR juveniles shall be released immediately and monitored for their specific burrow return and plan for either: (1) future burrow or precinct excavation so adult and dependent young/juvenile(s) can be captured (during excavation) and relocated together; or (2) delaying subsequent trapping at the specific burrow or precinct site to allow for young/juveniles to mature and disperse. The Permittee may submit alternative relocation methods for written approval by CDFW as a part of the GKR Mortality Reduction and Relocation Plan.</p>	ITP Condition # 7.25	Before commencing ground- or vegetation-disturbing activities / Entire Project	Designated Biologist	
20	<p><u>GKR Relocation Timing and Weather Constraints.</u> The Designated Biologist shall ensure that all traps set between January 1 and August 31 for the relocation of GKR be set no more than 1 hour prior to sunset and closed no more than 1 hour after sunrise to reduce the amount of time a pregnant or lactating/nursing female may be in a trap. The Designated Biologist shall check all traps set during this time for occupancy at least every 3 hours between sunset and sunrise. The Designated Biologist shall close all traps for GKR during the threat of inclement weather, such as the National Weather Service prediction of a 30 percent or greater chance of precipitation that can be independently verified by both CDFW and the Permittee.</p> <p>Additionally, the Designated Biologist shall close, or not open, all traps for GKR if the air temperature exceeds 99 degrees Fahrenheit during the trapping period. If the air temperature is predicted to drop below 50 degrees Fahrenheit, Designated Biologist shall check all traps every 2 hours during the trapping period and extra seed shall be included in each trap. The Designated Biologist shall place natural batting (e.g. unbleached paper towels), or the appropriate material for insulation and shredding, into each open trap. The Designated Biologist shall replace this material with new material after each time a capture occurs in a given trap. The Designated Biologist shall cease trapping if captured animals are found to be lethargic or otherwise are showing signs of a decrease in body temperature.</p>	ITP Condition # 7.26	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
21	<p><u>GKR Burrow Excavation.</u> Immediately following live trapping activities conducted to address Condition of Approval <u>GKR Relocation</u> and prior to beginning Covered Activities within the Project Area, the Designated Biologist or individuals under the direct supervision of the Designated Biologist shall fully excavate by hand all potential GKR burrows within the Work Area to be disturbed by Covered Activities. The Designated Biologist shall relocate any GKR (with salvageable burrow contents) encountered during burrow excavation to the CDFW-approved release site(s) identified in the approved <u>GKR Mortality Reduction and Relocation Plan</u>.</p>	ITP Condition # 7.27	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
22	<p><u>Protection of GKR Food Stores.</u> Permittee shall not disturb any GKR food stores (e.g., haystacks, seed caches, or other stockpiled forage) where impacts occur that do not warrant relocation of GKR, as directed by the GKR Mortality Reduction and Relocation Plan. If avoidance is not feasible, the Designated Biologist shall implement measures to keep the food stores intact, including temporary relocation of the food stores (only during daytime; seeds must be returned to original location prior to sunset), covering the seeds temporarily with plywood to allow temporary vehicle or foot traffic access, or implementing other measures developed in consultation with CDFW.</p>	ITP Condition # 7.28	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
23	<p><u>TKR Mortality Reduction and Relocation Plan.</u> Permittee shall submit a TKR Mortality Reduction and Relocation Plan to CDFW at least 30 days prior to beginning Covered Activities. Trapping, burrow excavation, and other relocation activities shall not proceed until this plan has been approved in writing by CDFW's Regional Representative. The TKR Mortality Reduction and Relocation Plan shall include but not be limited to: timing; detailed description of trapping methodology; detailed burrow excavation methods; release location(s); detailed release methods (i.e., soft release or another method); artificial burrow design and installation methods; and identification of a wildlife rehabilitation center or veterinary facility capable of and willing to treat injured TKR. Only a Designated Biologist is authorized to capture, handle, and relocate TKR unless a Designated Monitor is specifically approved in writing.</p> <p>Once the TKR Mortality Reduction and Relocation Plan is approved in writing by CDFW, it shall be used for all TKR mortality reduction activities for the duration of the ITP unless updated by CDFW to reflect best available science in which case CDFW will contact the Permittee to discuss needed revisions. Any proposed changes to the CDFW-approved TKR Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed TKR Mortality Reduction and Relocation Plan modifications.</p>	ITP Condition # 7.29	Before commencing ground- or vegetation-disturbing activities	Permittee / Designated Biologist	
24	<p><u>TKR Pre-Construction Surveys and Reporting.</u> No more than 14 calendar days prior to beginning Covered Activities, the Designated Biologist shall conduct pre-construction surveys in each Work Area and 50 feet beyond the limits of the Work Area to identify, flag, and map all TKR burrows. Permittee shall provide the results in a TKR Burrow Map and written report to CDFW's Regional Representative within five calendar days after survey completion. The report shall include but not be limited to the methodology, date and time of survey, a discussion and map of the locations of each TKR burrow, distances of burrows to Work Areas, and the dates when TKR trapping and relocation will occur as described in Condition of Approval <u>TKR Relocation.</u></p>	ITP Condition # 7.30	Before commencing ground- or vegetation-disturbing activities	Designated Biologist / Permittee	
25	<p><u>TKR Burrow Avoidance.</u> The Designated Biologist shall establish a no-disturbance buffer of 50 feet or greater around suspected or known to be occupied TKR burrows within or adjacent to a Work Area that will be impacted by vegetation- or ground-disturbing Covered Activities. If the 50-foot no-disturbance buffer cannot be established, live trapping, relocation, and burrow excavation shall occur in accordance with Conditions of Approval <u>TKR Relocation</u>, <u>TKR Relocation Weather Constraints</u>, and <u>TKR Burrow Excavation</u>. A buffer reduction request may be submitted to CDFW to allow for retaining burrows that could otherwise be reasonably avoided and un-damaged by vegetation- or ground-disturbing activities and potentially available to TKR post construction in accordance with Condition of Approval <u>Covered Species Buffer Reduction.</u></p>	ITP Condition # 7.31	Before commencing ground- or vegetation-disturbing activities / Entire Project	Designated Biologist	
26	<p><u>TKR Relocation.</u> The Designated Biologist shall conduct live-trapping at TKR burrows detected within each Work Area that cannot be avoided per Condition of Approval <u>TKR Burrow Avoidance</u> for at least four (4) consecutive nights prior to commencing ground-disturbing Covered Activities. The Designated Biologist shall relocate any captured TKR to the CDFW-approved release site identified in the approved <u>TKR Mortality Reduction and Relocation Plan.</u></p>	ITP Condition # 7.32	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
27	<p><u>TKR Relocation Weather Constraints.</u> During the threat of inclement weather, such as the National Weather Service prediction of a 30 percent or greater chance of rain that can be independently verified by both CDFW and the Permittee, the Designated Biologist shall close, or not open, all traps for TKR. Additionally, the Designated Biologist shall close, or not open, all traps for TKR if the air temperature exceeds 99 degrees Fahrenheit during the trapping period.</p> <p>If the air temperature is predicted to drop below 50 degrees Fahrenheit, Designated Biologist shall check all traps every 2 hours during the trapping period and extra seed shall be included in each trap. The Designated Biologist shall place natural batting (e.g. unbleached paper towels), or the appropriate material for insulation and shredding, into each open trap. The Designated Biologist shall replace this material with new material after each time a capture occurs in a given trap. The Designated Biologist shall immediately cease trapping if captured animals are found to be lethargic, showing signs of a decrease in body temperature, or any signs of distress.</p>	ITP Condition # 7.33	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
28	<p><u>TKR Burrow Excavation.</u> Immediately following live trapping activities conducted to address Condition of Approval TKR Relocation and prior to beginning Covered Activities within a Work Area, the Designated Biologist or individuals under the direct supervision of the Designated Biologist shall fully excavate by hand all potential TKR burrows within the fenced Work Area of the Project Area to be disturbed by Covered Activities. The Designated Biologist shall relocate any TKR (with salvageable burrow contents) encountered during burrow excavation to the CDFW-approved release site(s) identified in the approved <u>TKR Mortality Reduction and Relocation Plan</u>.</p>	ITP Condition # 7.34	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
29	<p><u>SJAS Mortality Reduction and Relocation Plan.</u> Permittee shall submit a SJAS Mortality Reduction and Relocation Plan to CDFW at least 30 days prior to beginning Covered Activities. Trapping, burrow excavation, and other relocation activities shall not proceed until this plan has been approved in writing by CDFW's Regional Representative. The SJAS Mortality Reduction and Relocation Plan shall include, but not be limited to, timing; detailed description of trapping methodology; detailed burrow excavation methods; release location(s); detailed release methods (i.e., soft release or another method); artificial burrow design and installation methods; and identification of a wildlife rehabilitation center or veterinary facility capable of and willing to treat injured SJAS. Only a Designated Biologist is authorized to capture, handle, and relocate SJAS unless a Designated Monitor is specifically approved in writing.</p> <p>Once the SJAS Mortality Reduction and Relocation Plan is approved in writing by CDFW, it shall be used for all SJAS mortality reduction activities for the duration of the ITP unless updated by CDFW to reflect best available science in which case CDFW will contact the Permittee to discuss needed revisions. Any proposed changes to the CDFW-approved SJAS Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed SJAS Mortality Reduction and Relocation Plan modifications.</p>	ITP Condition # 7.35	Before commencing ground- or vegetation-disturbing activities	Permittee / Designated Biologist	
30	<p><u>SJAS Pre-Construction Surveys and Reporting.</u> No more than 14 calendar days prior to beginning Covered Activities, the Designated Biologist shall conduct pre-construction surveys in each Work Area and 50 feet beyond the limits of the Work Area to identify, flag, and map all SJAS burrows. Permittee shall provide the results in a SJAS Burrow Map and written report to CDFW's Regional Representative within five calendar days after survey completion. The report shall include but not be limited to the methodology, date and time of survey, a discussion and map of the locations of each SJAS burrow, distances of burrows to Work Areas, and the dates when SJAS trapping and relocation will occur as described in Condition of Approval <u>SJAS Relocation</u>.</p>	ITP Condition # 7.36	Before commencing ground- or vegetation-disturbing activities	Designated Biologist / Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
31	<u>SJAS Burrow Avoidance</u> . The Designated Biologist shall establish a no-disturbance buffer of 50 feet or greater around suspected or known to be occupied SJAS burrows within or adjacent to the Work Area that will be impacted by vegetation- or ground-disturbing Covered Activities. If the 50-foot no-disturbance buffer cannot be established, live trapping, relocation and burrow excavation shall occur in accordance with the CDFW-approved SJAS Mortality Reduction and Relocation Plan and Conditions of Approval <u>SJAS Relocation</u> , <u>SJAS Relocation Weather Constraints</u> , and <u>SJAS Burrow Excavation</u> . A buffer reduction request may be submitted to CDFW to allow for retaining burrows that could otherwise be reasonably avoided and undamaged by vegetation- or ground-disturbing activities and potentially available to SJAS post construction in accordance with Condition of Approval <u>Covered Species Buffer Reduction</u> .	ITP Condition # 7.37	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
32	<u>SJAS Relocation</u> . The Designated Biologist shall conduct diurnal live-trapping at SJAS burrows detected within each Work Area that cannot be avoided per Condition of Approval <u>SJAS Burrow Avoidance</u> for at least four (4) consecutive days prior to commencing ground-disturbing Covered Activities. The Designated Biologist shall relocate any captured SJAS to the CDFW-approved release site identified in the approved <u>SJAS Mortality Reduction and Relocation Plan</u> .	ITP Condition # 7.38	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
33	<u>SJAS Relocation Timing Constraints</u> . The Designated Biologist shall relocate SJAS only after young of the year SJAS are observed above ground onsite or at a suitable reference site and during the main activity period for the species (April 1 to September 30) unless otherwise approved in advance and in writing by CDFW (email will suffice). Approval to conduct relocation outside of the main activity period will require the seven-day forecast predicted by the National Weather Service, that can be independently verified by both CDFW and the Permittee, to have daytime high temperatures (sunrise to sunset) between 68 and 86 degrees Fahrenheit with no prediction of inclement weather (e.g., a predicted 30 percent or greater chance of precipitation) and evidence of young of the year SJAS (if prior to April 1) and/or adults (if after September 30) observed above ground at a CDFW-approved reference site. Traps shall only be open during the time of day when on-site temperatures are within the 68 to 86 degrees Fahrenheit criterion and only when temperatures are predicted by the National Weather Service to remain within that range for more than four hours. Any captured lactating/nursing female or dependent juvenile SJAS shall be released immediately at the trap location and trapping shall cease until young of the year SJAS are observed above ground and no longer dependent on their mother. If trapping and intended relocation occurs prior to April 1 and/or after September 30, the Designated Biologist(s) shall submit daily trapping forms to CDFW for review and concurrence to continue with live trapping. Daily trapping forms shall include, but not be limited to, on-site temperatures and time when traps are opened, when traps are checked, and when animals are relocated; weather conditions (e.g., wind and cloud cover); and the number of traps used. After review of the final daily trapping form and concurrence with trapping results, CDFW will approve burrow excavation in advance and in writing (email will suffice) following the final day of trapping. The Permittee may submit an alternative relocation method for written approval by CDFW as a part of the SJAS Mortality Reduction, Relocation, and Adaptive Management Plan for Covered Activities occurring outside the referenced activity period for SJAS (April 1 through September 30).	ITP Condition # 7.39	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
34	<u>SJAS Relocation Weather Constraints</u> . During the threat of inclement weather, such as the National Weather Service prediction of a 30 percent or greater chance of rain that can be independently verified by both CDFW and the Permittee, the Designated Biologist shall halt all capture of SJAS. Additionally, the Designated Biologist shall halt all capture of SJAS and immediately close traps if the air temperature drops below 68 or exceeds 86 degrees Fahrenheit during the capture period. The Designated Biologist shall immediately cease capture activity and close traps if captured animals are found to be lethargic, showing signs of an increase or decrease in body temperature, or showing any signs of distress.	ITP Condition # 7.40	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
35	<u>SJAS Burrow Excavation</u> . Immediately following completion of SJAS trapping and relocation activities conducted as required by Condition of Approval <u>SJAS Relocation</u> and prior to commencing Covered Activities within the Work Area, the Designated Biologist, or individuals under the direct supervision of the Designated Biologist, shall fully excavate by hand any potential SJAS burrows present within the portion of the Project Area to be disturbed by Covered Activities. Any SJAS encountered during burrow excavation shall be allowed to escape out of harm's way to the adjacent natural habitat or relocated to the CDFW-approved release site identified in the approved <u>SJAS Mortality Reduction and Relocation Plan</u> by the Designated Biologist. Any dormant, lactating/nursing female, or dependent juvenile Covered Species encountered shall be collected (with salvageable burrow contents) by the Designated Biologist and relocated (with salvaged burrow contents) to an artificial burrow installed at the CDFW-approved release site.	ITP Condition # 7.41	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
36	<u>SJKF Pre-Activity Surveys and Den Map Reporting</u> . No more than 14 calendar days prior to beginning Covered Activities, the Designated Biologist shall conduct a pre-activity survey for SJKF and to identify, flag, and map all SJKF dens (potential, known, and natal dens) within the Work Area and 50 feet beyond the limits of the Work Area as well as a buffer zone of 500 feet beyond the limits of the Work Area (where feasible) to identify SJKF dens. Permittee shall provide the results in a SJKF Den Map and written report to CDFW's Regional Representative within five calendar days after survey completion. The report shall include but not be limited to methodology, date and time of survey, the number, type, and status of SJKF dens, a discussion and map of the locations of each SJKF den identified.	ITP Condition # 7.42	Before commencing ground- or vegetation-disturbing activities	Designated Biologist / Permittee	
37	<p><u>SJKF Den Avoidance</u>. Permittee shall establish no-disturbance buffer zones around potential, known and natal SJKF dens according to the following guidelines:</p> <ul style="list-style-type: none"> • If a potential SJKF den (any subterranean hole, three inches or larger, for which no evidence is present to conclude that the den is being used or has been used by a SJKF) is discovered, Permittee shall establish a minimum 50-foot no-disturbance buffer around the den. • If a known den (one that shows evidence of current use <u>or</u> was used in the past) is discovered, Permittee shall establish a minimum no-disturbance buffer of at least 100 feet around the den. • If a natal den (den in which SJKF young are reared) is discovered, Permittee shall establish a no-disturbance buffer of at least 200 feet around the den. Permittee shall establish a no-disturbance buffer of at least 500 feet around an active natal dens with pups. • Permittee shall notify CDFW's Regional Representative immediately via phone and email if any SJKF-occupied dens or natal dens (occupied and unoccupied) are discovered within or immediately adjacent to the Project Area. An established SJKF den no-disturbance buffer may be removed once the SJKF is no longer using the area. <p>If SJKF dens cannot be avoided as described, then the Permittee shall follow Conditions of Approval <u>Covered Species Buffer Reduction</u>, <u>SJKF Den Blockage</u>, <u>SJKF Den Excavation</u>, and <u>SJKF Den Replacement Plan</u> as applicable. Establishment of larger no-disturbance buffers are warranted if SJKF are visibly stressed by the Covered Activities or workers in the vicinity. Increased no-disturbance buffers will be determined by the Designated Biologist based on the behavioral observations of the affected SJKF individuals.</p>	ITP Condition # 7.43	Before commencing ground- or vegetation-disturbing activities	Permittee / Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
38	<p><u>SJKF Den Blockage</u>. Permittee may block rather than destroy any den located within the buffer distances prescribed by Condition of Approval <u>SJKF Den Avoidance</u>, but outside the discrete ground-disturbing Work Area(s) within the Project Area. Dens (including dens in natural substrate and in/under man-made structures) may be blocked immediately only after the Designated Biologist has conducted four (4) consecutive days of monitoring with tracking medium and wildlife cameras and determined that SJKF is not currently present. Camera used for monitoring should be chosen at the discretion of an approved SJKF Designated Biologist and shall have daytime and nighttime recording/photo-capture capabilities.</p> <p>Natal dens shall not be blocked until the pups and adults have vacated the den and then only after written concurrence from the CDFW. Den blockage shall be done in a manner that prevents SJKF from digging back into the den. All blocked dens shall be monitored at least once per week to ensure that the exclusion material is still intact. If SJKF is detected during monitoring activities after the block is installed or regains access to the den, the Permittee shall contact CDFW immediately and obtain written guidance regarding how to proceed. All blocked dens shall be unblocked within 48 hours of completion of Covered Activities within the no-disturbance buffer zones described in Condition of Approval <u>SJKF Den Avoidance</u>.</p>	ITP Condition # 7.44	Before commencing ground- or vegetation-disturbing activities	Permittee / Designated Biologist	
39	<p><u>SJKF Den Excavation</u>. SJKF Den Excavation. The Designated Biologist or individuals under direct supervision of the Designated Biologist shall fully excavate SJKF dens (including dens in natural substrate and in/under man-made structures) that cannot be avoided per Condition of Approval <u>SJKF Den Avoidance</u>. Den excavations shall be performed in the following manner for each type of SJKF den:</p> <ul style="list-style-type: none"> • <u>Potential SJKF den</u>: A potential den may be excavated only after the Designated Biologist has first confirmed that the subterranean hole, three inches or larger, has no evidence (SJKF scat, tracks, prey remains, "keyhole shape" burrow entrance, etc.) present to conclude that the den is being used or has been used by a SJKF. • <u>Known SJKF den</u>: A known SJKF den shall be excavated immediately after the Designated Biologist has conducted four (4) consecutive nights of monitoring with tracking medium and wildlife camera with daytime and nighttime recording/photo-capture capabilities and determined that SJKF are not currently present. • <u>SJKF Natal Den</u>: A SJKF natal den shall not be excavated until the Designated Biologist has conducted at least four (4) consecutive nights of monitoring with tracking medium and wildlife camera with daytime and nighttime recording/photo-capture capabilities and determined that SJKF pups and adults have vacated the den, and then only after written concurrence from CDFW has been received. <p>If the excavation process reveals evidence of current use by SJKF, then den excavation shall cease immediately and tracking medium and camera monitoring as described shall be conducted/resumed. Excavation of the den shall only resume and be completed when, in the judgment of the Designated Biologist, the SJKF has escaped from the partially excavated den. SJKF dens shall be carefully excavated until it is clear no individuals of SJKF are inside.</p> <p>Following excavation, dens shall be filled with dirt and compacted to ensure that SJKF cannot reenter or use the den during the period that Covered Activities occur in the Project Area. If an individual SJKF does not vacate a den within the Project Area within a reasonable timeframe, Permittee shall consult with CDFW, and Permittee shall obtain written guidance from CDFW prior to proceeding with den excavation. An established SJKF den no-disturbance buffer may be removed once a den has been fully excavated.</p>	ITP Condition # 7.45	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
40	<p><u>SJKF Den Replacement Plan</u>. Permittee shall replace each known and natal SJKF den as defined in Condition of Approval <u>SJKF Den Avoidance</u> that cannot be avoided within the Project Area with an artificial den to compensate for the loss of important shelter used by SJKF for protection, reproduction, and escape from predators. Den excavation within the Project Area shall not proceed until the SJKF Den Replacement Plan is approved in writing by CDFW's Regional Representative. Permittee shall submit a SJKF Den Replacement Plan prepared by an approved SJKF Designated Biologist to CDFW at least 30 calendar days prior to starting Covered Activities.</p> <p>The SJKF Den Replacement Plan shall include but not be limited to: a discussion and map of potential artificial den installation locations with distances to dens to be excavated in the Project Area; number of artificial dens to be installed for each den type lost; number of existing dens in the proposed installation location; description and figure/schematic of the replacement den chamber, tunnel, and entrance dimensions (e.g., number, depth, and width of den chambers, number and width of den entrances and tunnels, and orientation of den entrances); artificial den installation materials and methods; and timing of SJKF artificial den installation/construction.</p> <p>Once the SJKF Den Replacement Plan is approved by CDFW, it shall be used for the duration of the ITP unless updated by CDFW to reflect best available science in which case CDFW will contact the Permittee to discuss needed updates. Any proposed changes to the SJKF Den Replacement Plan shall be submitted, in writing, to CDFW and approved by CDFW in writing prior to implementation of any proposed SJKF Den Replacement Plan modifications.</p>	ITP Condition # 7.46	At least 30 days prior to starting Covered Activities	Permittee	
41	<p><u>Habitat Management Land Acquisition</u>. Based on observations of the Covered Species and Covered Species habitat features currently documented within the Project Area and vicinity, 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 with 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 Covered Species and habitat, and CDFW's estimate of the protected acreage required to provide for adequate compensation.</p> <p>To meet this requirement, the Permittee shall either purchase 16.5 acres of Covered Species credits for each of the Covered Species from a CDFW-approved mitigation or conservation bank pursuant to Condition of Approval <u>Covered Species Credits</u> OR shall provide for both the permanent protection and management of 16.5 acres of Habitat Management (HM) lands for each of the Covered Species pursuant to Condition of Approval <u>Habitat Management Lands Acquisition and Protection</u> and the calculation and deposit of the management funds pursuant to Condition of Approval <u>Endowment Fund</u>. The Covered Species credits may be nested, or grouped, if there are Covered Species credits that cover multiple Covered Species. If Covered Species credits are available for all of the Covered Species at the same CDFW-approved mitigation or conservation bank, only 16.5 acres of Covered Species credits are required. Similarly, the HM lands requirement may be nested if the HM lands support multiple Covered Species. If the HM lands support all of the Covered Species within the same property, only 16.5 acres of HM lands are required. Purchase of Covered Species credits OR permanent protection and funding for perpetual management of HM lands must be complete before starting Covered Activities, or within 18 months of the effective date of the ITP if Security is provided pursuant to Condition of Approval <u>Security</u> for all uncompleted obligations.</p>	ITP Condition # 8	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
42	<p><u>Cost Estimates.</u> For the purposes of determining the Security amount, CDFW has estimated the cost sufficient for CDFW or its contractors to complete acquisition, protection, and perpetual management of the HM lands as follows:</p> <ul style="list-style-type: none"> Land acquisition costs for HM lands identified in Condition of Approval <u>Habitat Management Lands Acquisition and Protection</u>, estimated at \$8000.00/acre for 16.5 acres: \$132,000.00. Land acquisitions costs are estimated using local fair market current value per acre for lands with habitat values meeting mitigation requirements; All other costs necessary to review and acquire the land in fee title and record a conservation easement as described in Condition of Approval <u>Fee Title and Conservation Easement</u>: \$352,500.00; Start-up costs for HM lands, including initial site protection and enhancement costs as described in Condition of Approval <u>Start-up Activities</u>, estimated at \$51,791.08; Interim management period funding as described in Condition of Approval <u>Interim Management (Initial and Capital)</u>, estimated at \$97,696.50; Long-term management funding as described in Condition of Approval <u>Endowment Fund</u>, estimated at \$34,362.47/acre for 16.5 acres: \$566,980.80. Long-term management funding is estimated initially for the purpose of providing Security to ensure implementation of HM lands management; Related transaction fees including but not limited to account set-up fees, administrative fees, title and documentation review and related title transactions, expenses incurred from other state agency reviews, and overhead related to transfer of HM lands to CDFW as described in Condition of Approval <u>Reimburse CDFW</u>, estimated at \$15,000.00; and CDFW engaging an external contractor to complete the mitigation tasks, including but not limited to acquisition, protection, and perpetual funding and management of the HM lands and restoration of temporarily disturbed habitat. These costs include but are not limited to the cost of issuing a request for proposals, transaction costs, contract administration costs, and costs associated with monitoring the contractor's work \$43,500.00. 	ITP Condition # 8.1	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	
43	<p><u>Covered Species Credits.</u> If the Permittee elects to purchase Covered Species credits to complete compensatory mitigation obligations, then Permittee shall purchase 16.5 acres of Covered Species credits for each of the Covered Species from a CDFW-approved mitigation or conservation bank prior to initiating Covered Activities, or no later than 18 months from the issuance of the ITP if Security is provided pursuant to Condition of Approval <u>Security</u>. As stated in Condition of Approval <u>Habitat Management Land Acquisition</u>, Covered Species credits may be nested if there are Covered Species Credits that cover multiple Covered Species. If Covered Species credits are available for all of the Covered Species at the same CDFW-approved mitigation or conservation bank, only 16.5 acres of Covered Species credits are required.</p> <p>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. Permittee shall submit to CDFW a copy of the Bill of Sale(s) and Payment Receipt prior to initiating Covered Activities or within 18 months from issuance of the ITP if Security is provided. Prior to transfer 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.</p>	ITP Condition # 8.2	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
44	<p><u>Habitat Management Lands Acquisition and Protection.</u> If the Permittee elects to provide for the acquisition, permanent protection, and perpetual management of HM lands to complete compensatory mitigation obligations, then the Permittee shall:</p> <p><u>Fee Title.</u> Transfer fee title of the HM lands to CDFW pursuant to terms approved in writing by CDFW. Alternatively, CDFW, in its sole discretion, may authorize a governmental entity, special district, non-profit organization, for-profit entity, person, or another entity to hold title to and manage the property provided that ACSD, organization, entity, or person meets the requirements of Government Code sections 65965-65968, as amended.</p>	ITP Condition # 8.3.1	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	
45	<p><u>Conservation Easement.</u> If CDFW does not hold fee title to the HM lands, CDFW shall act as grantee for a conservation easement over the HM lands or shall, in its sole discretion, approve a non-profit entity, public agency, or Native American tribe to act as grantee for a conservation easement over the HM lands provided that the entity, agency, or tribe meets the requirements of Civil Code section 815.3. If CDFW elects not to be named as the grantee for the conservation easement, CDFW shall be expressly named in the conservation easement as a third-party beneficiary. The Permittee shall obtain CDFW written approval of any conservation easement before its execution or recordation. No conservation easement shall be approved by CDFW unless it complies with Civil Code sections 815-816, as amended, and Government Code sections 65965-65968, as amended and includes provisions expressly addressing Government Code sections 65966(j) and 65967(e). Because the "doctrine of merger" could invalidate the conservation interest, under no circumstances can the fee title owner of the HM lands serve as grantee for the conservation easement.</p>	ITP Condition # 8.3.2	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	
46	<p><u>HM Lands Approval.</u> Obtain CDFW written approval of the HM lands before acquisition and/or transfer of the land by submitting, at least three months before acquisition and/or transfer of the HM lands, documentation identifying the land to be purchased or property interest conveyed to an approved entity as mitigation for the Project's impacts on Covered Species.</p>	ITP Condition # 8.3.3	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	
47	<p><u>HM Lands Documentation.</u> Provide a recent preliminary title report, Phase I Environmental Site Assessment, and other necessary documents (please contact CDFW for document list). All documents conveying the HM lands and all conditions of title are subject to the approval of CDFW, and if applicable, the Wildlife Conservation Board and the Department of General Services.</p>	ITP Condition # 8.3.4	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	
48	<p><u>Land Manager.</u> Designate both an interim and long-term land manager approved by CDFW. The interim and long-term land managers may, but need not, be the same. The interim and/or long-term land managers may be the landowner or another party. Documents related to land management shall identify both the interim and long-term land managers. Permittee shall notify CDFW of any subsequent changes in the land manager within 30 days of the change. If CDFW will hold fee title to the mitigation land, CDFW will also act as both the interim and long-term land manager unless otherwise specified. The grantee for the conservation easement cannot serve as the interim or long-term manager without the express written authorization of CDFW in its sole discretion.</p>	ITP Condition # 8.3.5	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
49	<u>Start-up Activities</u> . Provide for the implementation of start-up activities, including the initial site protection and enhancement of HM lands, once the HM lands have been approved by CDFW. Start-up activities include, at a minimum: (1) preparing a final management plan for CDFW approval (see optional management plan template at https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=227736); (2) conducting a baseline biological assessment and land survey report within four months of recording or transfer; (3) developing and transferring Geographic Information Systems (GIS) data if applicable; (4) establishing initial fencing; (5) conducting litter removal; (6) conducting initial habitat restoration or enhancement, if applicable; and (7) installing signage;	ITP Condition # 8.3.6	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	
50	<u>Interim Management (Initial and Capital)</u> . Provide for the interim management of the HM lands. The Permittee shall ensure that the interim land manager implements the interim management of the HM lands as described in the final management plan and conservation easement approved by CDFW. The interim management period shall be a minimum of three years from the date of HM land acquisition and protection and full funding of the Endowment and includes expected management following start-up activities. Interim management period activities described in the final management plan shall include fence repair, continuing trash removal, site monitoring, vegetation and invasive species management, and Covered Species monitoring. Permittee shall either (1) provide Security to CDFW for the minimum of three years of interim management that the land owner, Permittee, or land manager agrees to manage and pay for at their own expense, (2) establish an escrow account with written instructions approved in advance in writing by CDFW to pay the land manager annually in advance, or (3) establish a short-term enhancement account with CDFW or a CDFW-approved entity for payment to the land manager.	ITP Condition # 8.3.7	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	
51	<u>Endowment Fund</u> . If the Permittee elects to provide for the acquisition, permanent protection, and perpetual management of HM lands to complete compensatory mitigation obligations, then the Permittee shall ensure that the HM lands are perpetually managed, maintained, and monitored by the long-term land manager as described in the ITP, the conservation easement, and the final management plan approved by CDFW. After obtaining CDFW approval of the HM lands, Permittee shall provide long-term management funding for the perpetual management of the HM lands by establishing a long-term management fund (Endowment). The Endowment is a sum of money, held in a CDFW-approved fund that is permanently restricted to paying the costs of long-term management and stewardship of the mitigation property for which the funds were set aside, which costs include the perpetual management, maintenance, monitoring, and other activities on the HM lands consistent with the ITP, the conservation easement, and the management plan required by Condition of Approval Start-up Activities. Endowment as used in the ITP shall refer to the endowment deposit and all interest, dividends, other earnings, additions and appreciation thereon. The Endowment shall be governed by the ITP, Government Code sections 65965-65968, as amended, and Probate Code sections 18501-18510, as amended. After the interim management period, Permittee shall ensure that the designated long-term land manager implements the management and monitoring of the HM lands according to the final management plan. The long-term land manager shall be obligated to manage and monitor the HM lands in perpetuity to preserve their conservation values in accordance with the ITP, the conservation easement, and the final management plan. Such activities shall be funded through the Endowment.	ITP Condition # 8.4	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
52	<p><u>Identify an Endowment Manager.</u> The Endowment shall be held by the Endowment Manager, which shall be either CDFW or another entity qualified pursuant to Government Code sections 65965-65968, as amended.</p> <p>Permittee shall submit to CDFW a written proposal that includes: (i) the name of the proposed Endowment Manager; (ii) whether the proposed Endowment Manager is a governmental entity, special district, nonprofit organization, community foundation, or congressionally chartered foundation; (iii) whether the proposed Endowment Manager holds the property or an interest in the property for conservation purposes as required by Government Code section 65968(b)(1) or, in the alternative, the basis for finding that the Project qualifies for an exception pursuant to Government Code section 65968(b)(2); and (iv) a copy of the proposed Endowment Manager's certification pursuant to Government Code section 65968(e).</p> <p>Within thirty days of CDFW's receipt of Permittee's written proposal, CDFW shall inform Permittee in writing if it determines the proposal does not satisfy the requirements of Fish and Game Code section 2081(b)(3) and, if so, shall provide Permittee with a written explanation of the reasons for its determination. If CDFW does not provide Permittee with a written determination within the thirty-day period, the proposal shall be deemed consistent with Section 2081(b)(3).</p>	ITP Condition # 8.4.1	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	
53	<p><u>Calculate the Endowment Funds Deposit.</u> After obtaining CDFW written approval of the HM lands, long-term management plan, and Endowment Manager, Permittee shall prepare an endowment assessment (equivalent to a Property Analysis Record (PAR)) to calculate the amount of funding necessary to ensure the long-term management of the HM lands (Endowment Deposit Amount). Note that the endowment for the easement holder should not be included in this calculation. The Permittee shall submit to CDFW for review and approval the results of the endowment assessment before transferring funds to the Endowment Manager.</p>	ITP Condition # 8.4.2	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	
54	<p><u>Capitalization Rate and Fees.</u> Permittee shall obtain the capitalization rate from the selected Endowment Manager for use in calculating the endowment assessment and adjust for any additional administrative, periodic, or annual fees.</p>	ITP Condition # 8.4.2.1	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	
55	<p><u>Endowment Buffers/Assumptions.</u> Permittee shall include in the endowment assessment assumptions the following buffers for endowment establishment and use that will substantially ensure long-term viability and security of the Endowment:</p> <ul style="list-style-type: none"> • <u>10 Percent Contingency.</u> A 10 percent contingency shall be added to each endowment calculation to hedge against underestimation of the fund, unanticipated expenditures, inflation, or catastrophic events. • <u>Three Years Delayed Spending.</u> The endowment shall be established assuming spending will not occur for the first three years after full funding. • <u>Non-annualized Expenses.</u> For all large capital expenses to occur periodically but not annually such as fence replacement or well replacement, payments shall be withheld from the annual disbursement until the year of anticipated need or upon request to Endowment Manager and CDFW. 	ITP Condition # 8.4.2.2	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	
56	<p><u>Transfer Long-term Endowment Funds.</u> Permittee shall transfer the long-term endowment funds to the Endowment Manager upon CDFW approval of the Endowment Deposit Amount identified.</p>	ITP Condition # 8.4.3	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
57	<p><u>Management of the Endowment.</u> The approved Endowment Manager may pool the Endowment with other endowments for the operation, management, and protection of HM lands for local populations of the Covered Species but shall maintain separate accounting for each Endowment. The Endowment Manager shall, at all times, hold and manage the Endowment in compliance with the ITP, Government Code sections 65965-65968, as amended, and Probate Code sections 18501-18510, as amended.</p> <p>Notwithstanding Probate Code sections 18501-18510, the Endowment Manager shall not make any disbursement from the Endowment that will result in expenditure of any portion of the principal of the endowment without the prior written approval of CDFW in its sole discretion. Permittee shall ensure that this requirement is included in any agreement of any kind governing the holding, investment, management, and/or disbursement of the Endowment funds.</p> <p>Notwithstanding Probate Code sections 18501-18510, if CDFW determines in its sole discretion that an expenditure needs to be made from the Endowment to preserve the conservation values of the HM lands, the Endowment Manager shall process that expenditure in accordance with directions from CDFW. The Endowment Manager shall not be liable for any shortfall in the Endowment resulting from CDFW's decision to make such an expenditure.</p>	ITP Condition # 8.4.4	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	
58	<p><u>Reimburse CDFW.</u> Permittee shall reimburse CDFW for all reasonable costs incurred by CDFW related to issuance and monitoring of the ITP, including, but not limited to transaction fees, account set-up fees, administrative fees, title and documentation review and related title transactions, costs incurred from other state agency reviews, and overhead related to transfer of HM lands to CDFW.</p>	ITP Condition # 8.5	Before commencing ground- or vegetation-disturbing activities or within 18 months of ITP effective date if Security is provided	Permittee	
59	<p><u>Security:</u> The Permittee may proceed with Covered Activities only after the Permittee has ensured funding (Security) to complete any activity required by Condition of Approval Habitat Management Land Acquisition that has not been completed before Covered Activities begin. Permittee shall provide Security as follows:</p> <ul style="list-style-type: none"> • <u>Security Amount.</u> The Security shall be in the amount of \$1,259,468.38 determined by CDFW based on the cost estimates identified in Condition of Approval Cost Estimates, sufficient for CDFW or its contractors to complete land acquisition, property enhancement, startup costs, initial management, long-term management, and monitoring. • <u>Security Form.</u> The Security shall be in the form of an irrevocable letter of credit, escrow agreement, surety bond, or another form of Security (please contact CDFW for Security form template) approved in advance in writing by CDFW's Office of the General Counsel. • <u>Security Timeline.</u> The Security shall be provided in draft form for CDFW review and approval at least 30 calendar days before Covered Activities begin or within 30 days after the effective date of the ITP, whichever occurs first. • <u>Security Holder.</u> The Security shall be held by CDFW or in a manner approved in advance in writing by CDFW. • <u>Security Transmittal.</u> Permittee shall transmit security to CDFW by way of an approved instrument such as an escrow agreement, irrevocable letter of credit, or other. • <u>Security Drawing.</u> The Security shall allow CDFW to draw on the principal sum if CDFW, in its sole discretion, determines that the Permittee has failed to comply with the Conditions of Approval of the ITP. • <u>Security Release.</u> The Security (or any portion of the Security then remaining) shall be released to the Permittee after CDFW has conducted an on-site inspection and received confirmation that all secured requirements have been satisfied, as evidenced by: 	ITP Condition # 9	At least 30 calendar days before Covered Activities begin or within 30 days after the effective date of the ITP, whichever occurs first.	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
	<p><u>Credit Purchase</u></p> <ul style="list-style-type: none"> • Copy of Bill of Sale(s) and Payment Receipt(s) or Credit Transfer Agreement for the purchase of Covered Species credits; and • Timely submission of all required reports. <p>OR</p> <p><u>Habitat Management Land Acquisition</u></p> <ul style="list-style-type: none"> • Written documentation of the acquisition of the HM lands; • Copies of all executed and recorded conservation easements; • Written confirmation from the approved Endowment Manager of its receipt of the full Endowment; and • Timely submission of all required reports. <p>Even if Security is provided, the Permittee must complete the required acquisition, protection and transfer of all HM lands and record any required conservation easements no later than 18 months from the effective date of the ITP. CDFW may require the Permittee to provide additional HM lands and/or additional funding to ensure the impacts of the taking are minimized and fully mitigated, as required by law, if the Permittee does not complete these requirements within the specified timeframe.</p>				
DURING CONSTRUCTION					
60	<p><u>Designated Biologist(s)/Designated Monitor(s) Authority.</u> To ensure compliance with the Conditions of Approval of the ITP, the Designated Biologist(s)/Designated Monitor(s) shall be given the authority to immediately stop any activity that does not comply with the 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 entire Project Site and otherwise facilitate the Designated Biologist(s)/Designated Monitor(s) in the performance of his/her duties. If the Designated Biologist(s)/Designated Monitor(s) are unable to comply with the ITP, then the Designated Biologist(s)/Designated Monitor(s) shall notify the CDFW Representative (detailed in the Notices section) 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(s)/Designated Monitor(s) 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 the ITP.</p>	ITP Condition # 5.3	Entire Project	Designated Biologist / Designated Monitor / Permittee	
61	<p><u>Construction Monitoring Documentation.</u> The Designated Biologist(s) and Designated 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 the 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 site upon request by CDFW.</p>	ITP Condition # 5.5	Entire Project	Designated Biologist / Designated Monitor	
62	<p><u>Erosion Control Materials.</u> Permittee shall prohibit the use of any plastic-based erosion control materials or materials that can be potentially harmful to Covered Species and other species, such as monofilament netting (erosion control matting) or similar material, in potential Covered Species' habitat.</p>	ITP Condition # 5.8	Entire Project	Permittee	
63	<p><u>Dogs.</u> Permittee shall prohibit domestic dogs from the Project Area and site access routes during Covered Activities, except those in the possession of authorized security personnel or local, State, or federal law enforcement officials.</p>	ITP Condition # 5.9	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
64	<u>Fire Prevention.</u> Permittee shall implement fire prevention measures during Covered Activities including, but not limited to: (1) equipping all motorized vehicles with spark arrestors when working in designated State Responsibility Areas; (2) ensuring water-filled backpack pumps, shovels, shields, and fire-resistant mats and/or windscreens are available on site during grinding and welding operations; (3) prohibiting welding operations during "red flag" conditions as determined by the California Department of Forestry and Fire Protection; (4) equipping all fuel trucks with an appropriate fire extinguisher; and (5) ensuring that flammable materials are cleared from parking and storage areas. Personnel shall be trained regarding the fire hazards for wildlife as part of Condition of Approval <u>Education Program</u> .	ITP Condition # 5.10	Entire Project	Permittee	
65	<u>Project Access.</u> Project-related personnel shall access the Project Area using existing routes and shall not cross Covered Species' habitat outside of or enroute to the Project Area. Permittee shall restrict Project-related vehicle and equipment ingress and egress to established roads, staging, and parking areas. 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 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 the ITP, among other reasons, if additional take of Covered Species will occur as a result of the Project modification.	ITP Condition # 5.13	Entire Project	Permittee	
66	<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 within the Project Area to the greatest extent possible, except as described in the Project Description section of the ITP. Permittee shall not use or cross Covered Species' habitat outside of the marked Project Area unless provided for as described in Condition of Approval <u>Project Access</u> .	ITP Condition # 5.14	Entire Project	Permittee	
67	<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 # 5.15	Entire Project	Permittee	
68	<u>CDFW Access.</u> Permittee shall provide CDFW staff with reasonable access to the Project and mitigation lands under Permittee control and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in the ITP.	ITP Condition # 5.16	Entire Project	Permittee	
69	<u>Pesticide Prohibition.</u> Permittees shall not use and shall prohibit the use of pesticides including but not limited to rodenticides, herbicides, and insecticides within the Project Area without prior written approval from CDFW. This also prohibits the use of any second-generation anticoagulant rodenticide (brodifacoum, bromadiolone, difethialone, and difenacoum) and any first-generation anticoagulant rodenticide (diphacinone, chlorophacinone, and warfarin) in the Project Area.	ITP Condition # 5.18	Entire Project	Permittee	
70	<u>Notification of Non-compliance.</u> The Designated Representative or Designated Biologist shall notify CDFW by phone or email within 24 hours of the discovery if the Permittee is not in compliance with any Condition of Approval of the ITP, including but not limited to any actual or anticipated failure to implement measures within the time periods indicated in the ITP and/or this MMRP. The Designated Representative or Designated Biologist shall submit a written report to CDFW within 48 hours of the initial notification describing any non-compliance with the ITP in detail and suggested measures to remedy the situation.	ITP Condition # 6.2	Entire Project	Permittee / Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
71	<p>Compliance Monitoring. The Designated Biologist shall be on site daily for the duration of the day to monitor compliance when Covered Activities occur. The Designated Biologist shall conduct compliance inspections to:</p> <ul style="list-style-type: none"> • minimize incidental take of the Covered Species; • prevent unlawful take of species; • check for compliance with all measures of the ITP; • check all exclusion zones; and • ensure that signs, stakes, and fencing are intact, and that Covered Activities are only occurring in the Project Area. <p>During periods of inactivity or after vegetation clearing and grading have been completed, compliance inspections by the Designated Biologist may be reduced to a minimum of one day per week. Permittee shall immediately resume daily compliance inspections if the Designated Biologist or CDFW finds the Permittee is out of compliance with any Conditions of Approval of the ITP, upon written notification from CDFW, and/or if any individuals of the Covered Species, including burrows and dens are suspected or confirmed in the Project Area.</p> <p>In addition to daily compliance inspections required by this Condition of Approval, the Designated Representative and Designated Biologist(s) shall ensure that all other inspections required by the ITP are conducted at the frequencies (i.e., interval, time(s) of day, following specified weather events) required by other specific Conditions of Approval. The Designated Representative or Designated Biologist(s) shall prepare daily written observation and inspection records summarizing oversight activities and compliance inspections, observations of Covered Species and their sign, survey results, and monitoring activities required by the ITP.</p>	ITP Condition # 6.4	Entire Project	Permittee / Designated Biologist	
72	<p>Quarterly Compliance Report. The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in Condition of Approval <u>Compliance Monitoring</u> into a Quarterly Compliance Report and submit it to CDFW along with a copy of this MMRP table with notes showing the current implementation status of each mitigation measure and education program signed acknowledgement forms as described in Condition of Approval <u>Education Program</u>. Quarterly Compliance Reports shall also include an accounting of the number of acres that have been permanently and temporarily disturbed by the Project, both for the prior quarter, and the total since ITP issuance, if applicable; the number of acres of habitat disturbance anticipated to occur in the Project Area during the coming quarter, if applicable; a summary of all pre-activity surveys and compliance monitoring conducted during the previous quarter; and the activities authorized under the Covered Activities which occurred during the previous quarter. Quarterly Compliance Reports shall be submitted by January 15, April 15, July 15, and October 15 via email to CDFW's Regional Representative, Regional CESA Program, and Headquarters CESA Program. At the time of the ITP's approval, the CDFW Regional Representative is Sarah Bahm (Sarah.Bahm@wildlife.ca.gov), the CDFW Regional Office e-mail is R4CESA@wildlife.ca.gov and Headquarters CESA Program e-mail 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 # 6.6	Entire Project	Permittee / Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
73	<u>Annual Status Report.</u> Permittee shall provide CDFW with an Annual Status Report (ASR) no later than January 31 of every year beginning with issuance of the ITP and continuing until CDFW accepts the Final Mitigation Report. ASRs shall be submitted to CDFW following the directions provided in Condition of Approval <u>Quarterly Compliance Report</u> . Each ASR shall include, at a minimum: (1) a summary of all Quarterly Compliance Reports for that year identified in Condition of Approval <u>Quarterly Compliance Report</u> ; (2) a general description of the status of the Project and Covered Activities, including actual or projected completion dates, if known; (3) a copy of the table in this 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.	ITP Condition # 6.7	Entire Project	Permittee	
74	<u>CNDDDB Observations.</u> The Designated Biologist shall submit all observations of Covered Species to CDFW's California Natural Diversity Database (CNDDDB) within 30 calendar days of the observation and the Designated Biologist shall include copies of the submitted forms with the next Quarterly Compliance Report or ASR, whichever is submitted first relative to the observation.	ITP Condition # 6.8	Entire Project	Designated Biologist / Permittee	
75	<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 within 24 hours of discovery via e mail to the CDFW Regional Representative and R4CESA@wildlife.ca.gov . The initial notification to CDFW shall include information regarding the location, species, and number of animals taken or injured, summary of next steps that will be taken, and the ITP Number. Following initial notification, Permittee shall email the CDFW Regional Representative and R4CESA@wildlife.ca.gov 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, photographs, steps taken after discovery, explanation as to cause of take or injury, and any other pertinent information.	ITP Condition # 6.10	Entire Project	Permittee / Designated Biologist	
76	<u>Designated Biologist On Site.</u> The Designated Biologist shall be on site for the duration of the day during all activities that may result in the take of Covered Species.	ITP Condition # 7.1	Entire Project	Permittee / Designated Biologist	
77	<u>Work Hours and Nightwork.</u> Permittee shall confine all surface- or vegetation-disturbing activities to daylight hours (sunrise to sunset). Permittee shall ensure that all vehicle traffic necessary during nighttime hours shall be conducted with extra caution to minimize impacts to Covered Species. Permittee shall request written authorization from CDFW if any nightwork shall occur.	ITP Condition # 7.2	Entire Project	Permittee	
78	<u>Lighting.</u> Permittee shall not install permanent lighting at the Project Area. Permittee shall not use temporary, fixed, exterior lighting, including motion-triggered security lighting between sunset and sunrise unless authorized in writing from CDFW. Permittee shall ensure that all temporary, fixed, exterior lighting used within the Project Area is turned on only when people are present and shall not cast light on Covered Species habitat beyond the footprint of the Project Area.	ITP Condition # 7.3	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
79	<u>Equipment Fueling and Maintenance.</u> Permittee shall ensure that all equipment fueling and maintenance occur at least 50 feet from Covered Species burrows and dens, unless fueling and maintenance occurs within the fenced Work Area where vegetation has been removed per Condition of Approval <u>Vegetation Removal</u> and burrows and dens have been excavated per Conditions of Approval <u>GKR Burrow Excavation</u> , <u>TKR Burrow Excavation</u> , <u>SJAS Burrow Excavation</u> , and <u>SJKF Den Excavation</u> , or approved in advance in writing by CDFW. Permittee shall ensure that sufficient spill containment and cleanup equipment be present at all fueling locations. Permittee shall request written authorization from CDFW if any additional fueling and maintenance locations are necessary outside of the Project Area.	ITP Condition # 7.5	Entire Project	Permittee	
80	<u>Vehicle Parking.</u> Permittee shall not allow vehicles to park on top of Covered Species burrows and dens. Permittee shall restrict parking to within designated staging and parking areas for which vegetation has been removed as required by Condition of Approval <u>Vegetation Removal</u> and burrows and dens have been excavated as required by Conditions of Approval <u>GKR Burrow Excavation</u> , <u>TKR Burrow Excavation</u> , <u>SJAS Burrow Excavation</u> , and <u>SJKF Den Excavation</u> , or within the disturbed access roads as described in the Project Description section of the ITP. Vehicles and equipment parked overnight shall be located at least 50 feet from all burrows and dens unless parking occurs within the fenced Project Area where vegetation has been removed as required by Condition of Approval <u>Vegetation Removal</u> and burrows and dens have been excavated as required by Conditions of Approval <u>GKR Burrow Excavation</u> , <u>TKR Burrow Excavation</u> , <u>SJAS Burrow Excavation</u> , and <u>SJKF Den Excavation</u> or approved in advance in writing by CDFW.	ITP Condition # 7.6	Entire Project	Permittee	
81	<u>Vehicle and Equipment Inspection.</u> Workers shall inspect for Covered Species under vehicles and equipment every time before the vehicles and equipment are moved. If a Covered Species is present, the worker shall immediately notify the Designated Biologist and wait for the Covered Species to move unimpeded to a safe location. Alternatively, the Designated Biologist may move GKR, TKR and/or SJAS out of harm's way outside of the Project Area and in compliance with the approved <u>GKR Mortality Reduction and Relocation Plan</u> , <u>TKR Mortality Reduction and Relocation Plan</u> and/or <u>SJAS Mortality Reduction and Relocation Plan</u> . If a trapped SJKF does not vacate of its own accord within a reasonable timeframe, the Permittee or Designated Biologist(s) shall contact CDFW, and Permittee shall get written concurrence prior to proceeding with eviction of the SJKF.	ITP Condition # 7.7	Entire Project	Permittee	
82	<u>Stockpiling Materials.</u> Permittee shall stockpile and store all materials and equipment in a manner that discourages Covered Species' use. Permittee shall not place bundled or loose materials directly on the ground in all locations. Permittee shall elevate materials to discourage use by Covered Species.	ITP Condition # 7.8	Entire Project	Permittee	
83	<u>Soil Stockpiles.</u> Permittee shall ensure that soil stockpiles are placed where soil will not pass into any other "Waters of the State," in accordance with Fish and Game Code section 5650. Permittee shall protect stockpiles to prevent soil erosion.	ITP Condition # 7.9	Entire Project	Permittee	
84	<u>Materials Inspection.</u> Workers shall thoroughly inspect all construction materials, such as pipes, culverts, or other similar structures with a diameter of one inch or greater, that are stored in the Project Area for one or more overnight periods for the Covered Species before the structure is subsequently moved, utilized, enclosed, buried, or capped. If during inspection, a Covered Species is discovered inside or under materials, workers shall immediately notify the Designated Biologist and wait for the Covered Species to move unimpeded to a safe location before moving or utilizing the structure in any way. Alternatively, the Designated Biologist may move GKR, TKR and/or SJAS out of harm's way outside of the Project Area and in compliance with the approved <u>GKR Mortality Reduction and Relocation Plan</u> , <u>TKR Mortality Reduction and Relocation Plan</u> and/or <u>SJAS Mortality Reduction and Relocation Plan</u> . If a trapped SJKF does not vacate of its own accord within a reasonable timeframe, the Permittee or Designated Biologist(s) shall contact CDFW, and Permittee shall get written concurrence prior to proceeding with eviction of the SJKF.	ITP Condition # 7.10	Entire Project	Permittee / Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
85	<u>Pipes and other Structures Entrapment Prevention.</u> Permittee shall ensure that all pipes, hoses, conduits, culverts, or similar materials stockpiled or installed in the Project Area are capped or otherwise enclosed at the ends to prevent entry by Covered Species. Permittee shall not leave any permanent pipes, conduits, electrical cabinets, or similar materials or structures open where Covered Species may enter them and become trapped. The Designated Biologist and/or Designated Monitor shall thoroughly inspect all such materials for Covered Species before they are moved, utilized, enclosed, buried, or capped. If a Covered Species is discovered inside such material, that section of material shall not be moved or utilized in any way until the animal has escaped of its own accord. If a Covered Species inside such materials does not vacate of its own accord within a reasonable timeframe, CDFW shall be contacted and Permittee shall get written concurrence prior to proceeding with eviction of the Covered Species.	ITP Condition # 7.11	Entire Project	Permittee / Designated Biologist	
86	<u>Excavation Inspection.</u> The Designated Biologist and/or Designated Monitor shall inspect all open trenches, holes, sumps, and other excavations within the Project Area at the beginning and end of each day when Covered Activities occur for any Covered Species that may be trapped. Project workers shall inspect all open holes, sumps, trenches, and other excavations for Covered Species immediately before they are backfilled. If any Project worker discovers that Covered Species have become trapped, the Project worker shall immediately cease all Covered Activities in the vicinity which could cause further entrapment, or injure or kill the Covered Species, and notify the Designated Biologist(s). The Designated Biologist(s) and Project workers shall allow Covered Species to move to a safe location unimpeded, if possible, before Covered Activities are allowed to continue. Alternatively, the Designated Biologist may move GKR, TKR and/or SJAS out of harm's way outside of the Project Area and in compliance with the approved <u>GKR Mortality Reduction and Relocation Plan</u> , <u>TKR Mortality Reduction and Relocation Plan</u> and/or <u>SJAS Mortality Reduction and Relocation Plan</u> . If a trapped SJKF does not vacate of its own accord within a reasonable timeframe, the Permittee or Designated Biologist(s) shall contact CDFW, and Permittee shall get written concurrence prior to proceeding with eviction of the SJKF.	ITP Condition # 7.12	Entire Project	Permittee / Designated Biologist	
87	<u>Covers and Ramps.</u> Permittee shall ensure that all open trenches, holes, sumps, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope are covered when workers or equipment are not actively working in the excavation, which includes cessation of work overnight, or have installed an escape ramp of soil or a non-slip material with a less than 1:1 (45 degree) slope. Permittee shall not line or cover open trenches, holes, sumps, or other excavations with Visqueen or other plastic sheeting material. To prevent inadvertent entrapment of the Covered Species, the Designated Biologist and/or Designated Monitor shall oversee the covering of all trenches, holes, sumps, or other excavations with sidewalls greater than 1:1 (45 degree) slope of any depth with barrier material (such as hardware cloth) at the close of each working day such that animals are unable to dig or squeeze under the barrier and become entrapped. The outer two feet of excavation cover shall conform to solid ground so that gaps do not occur between the cover and the ground and secured with soil staples or similar means to prevent gaps. The Designated Biologist(s) shall inspect the integrity of covers and escape ramps of trenches, holes, sumps, and other excavations once each workday (including weekends and any other non-workdays unless temporary exclusion fencing completely surrounds the Project Area to ensure that covers and ramps are in good condition, secured, and with no gaps. Designated Biologist and/or Designated Monitor shall also thoroughly inspect any trenches, holes, sumps, or other excavations that are covered long-term at the beginning of each working day to ensure inadvertent entrapment has not occurred and shall make any necessary repairs to the cover.	ITP Condition # 7.13	Entire Project	Permittee / Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
88	<u>Covered Species Observations</u> . All workers shall immediately inform the Designated Biologist if a Covered Species is seen within or near a Project Area during implementation of any Covered Activity. The Designated Biologist shall stop all work in the vicinity of the Covered Species until the Covered Species is allowed to move unimpeded from the Project Area of its own accord. Alternatively, the Designated Biologist may move GKR, TKR and/or SJAS out of harm's way outside of the Project Area and in compliance with the approved <u>GKR Mortality Reduction and Relocation Plan</u> , <u>TKR Mortality Reduction and Relocation Plan</u> and/or <u>SJAS Mortality Reduction and Relocation Plan</u> . If a trapped SJKF does not vacate of its own accord within a reasonable timeframe, the Permittee or Designated Biologist(s) shall contact CDFW, and Permittee shall get written concurrence prior to proceeding with eviction of the SJKF.	ITP Condition # 7.14	Entire Project	Permittee / Designated Biologist	
89	<u>Covered Species Buffer Reduction</u> . The buffers prescribed in Conditions of Approval <u>GKR Burrow Avoidance</u> , <u>TKR Burrow Avoidance</u> , <u>SJAS Burrow Avoidance</u> , and <u>SJKF Den Avoidance</u> shall not be reduced or otherwise modified without prior written CDFW approval. If the Designated Biologist determines that specific Covered Activities are not likely to impact the Covered Species using known burrows or dens due to the nature of the specific Covered Activities and/or due to objects or topography that might reduce potential noise disturbance and obstruct view of the Covered Activities from the den or burrow, or if additional exclusion methods (e.g., exclusion fence strategies, monitoring, etc.) will be performed, then the Designated Biologist may submit a written request to CDFW via email to reduce the buffer distance with documented observational data and the justification for the reduced buffer (Buffer Reduction Request). CDFW will review each Buffer Reduction Request on a case-by-case basis and provide a determination in response to each Buffer Reduction Request in writing. CDFW may request additional and/or ongoing biological monitoring prior to approving a Buffer Reduction Request.	ITP Condition # 7.19	Entire Project	Permittee / Designated Biologist	
90	<u>Covered Species Injury</u> . If any life stage of any of the Covered Species is injured or found dead within the vicinity of the Project Area, Permittees shall notify CDFW of the injury or mortality to the Covered Species immediately by email as described in the Condition of Approval <u>Notification of Take or Injury</u> . The Designated Biologist shall immediately transport injured individuals to a CDFW-approved wildlife rehabilitation center or veterinary facility or follow approved collection and storage procedures for deceased animals. Permittees shall bear any costs associated with the care, treatment, recovery, and release of such injured Covered Species.	ITP Condition # 7.20	Entire Project	Permittee / Designated Biologist	
AFTER CONSTRUCTION					
91	<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 # 5.17	After completion of each component of construction	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
92	<u>Revegetation Plan</u> . Prior to implementing revegetation activities at the Project Area, Permittee shall submit a Revegetation Plan to CDFW via email for review and approval to facilitate revegetation of the 14.65 acres of temporary disturbance within the Project Area. Permittee shall restore the vegetation to a condition conducive for recolonization by the Covered Species. Permittee shall ensure the Revegetation Plan is successfully implemented by a contractor. At a minimum, the Plan shall include the following information: (1) a map that identifies the area(s) to be revegetated; (2) a planting plan, including the seed application method to establish suitable vegetation for the Covered Species and the contractor or entity responsible for application; (3) the plant palette consisting of California native plants and seed sources; (4) procedures to ensure that nonnative plants are not introduced or allowed to sustain within the revegetation areas and nonnative plant removal plan; (5) avoidance and minimization measures; (6) monitoring and maintenance measures and a timeline when these will occur and by whom; (7) proposed success criteria and contingency measures if the first application is unsuccessful to ensure habitat suitability for Covered Species; (8) indicate the time of year seeding will occur to ensure adequate growth without supplemental watering; and (9) the timeframe for which the site must sustain itself and meet the identified success criteria.	ITP Condition # 7.21	After completion of construction and prior to revegetation	Permittee	
93	<u>Final Mitigation Report</u> . No later than 60 days after completion of all mitigation measures, Permittee shall provide CDFW with a Final Mitigation Report via e-mail as described in Condition of Approval <u>Quarterly Compliance Report</u> . The Designated Biologist shall prepare the Final Mitigation Report which shall include, at a minimum: (1) a summary of all Quarterly Compliance Reports and ASRs; (2) a copy of this MMRP table with notes showing when each of the mitigation measures was implemented and by whom; (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, including any breaks in Covered Activities longer than one week; (6) an assessment of the effectiveness of the 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.	ITP Condition # 6.9	Within 30 days of completing all mitigation measures	Permittee	
94	CDFW accepts the Final Mitigation Report as complete.	ITP Condition # 6.9	After submittal of Final Mitigation Measures	CDFW	

Biologist/Botanist Resume Submittal Cover Sheet

Project Name: _____

ITP Number: _____

****Please submit each resume as a separate file. Use of this cover sheet will expedite CDFW review.**

****Please provide the names of up to ten individuals in the order you would like CDFW to review for approval.**

Number of resumes included in Transmittal: _____

	Name	Requested Role ¹	Covered Species	COA #(s) to implement (Monitor only) ²
1		<input type="checkbox"/> Designated Biologist <input type="checkbox"/> Designated Monitor <input type="checkbox"/> Both		
2		<input type="checkbox"/> Designated Biologist <input type="checkbox"/> Designated Monitor <input type="checkbox"/> Both		
3		<input type="checkbox"/> Designated Biologist <input type="checkbox"/> Designated Monitor <input type="checkbox"/> Both		
4		<input type="checkbox"/> Designated Biologist <input type="checkbox"/> Designated Monitor <input type="checkbox"/> Both		
5		<input type="checkbox"/> Designated Biologist <input type="checkbox"/> Designated Monitor <input type="checkbox"/> Both		
6		<input type="checkbox"/> Designated Biologist <input type="checkbox"/> Designated Monitor <input type="checkbox"/> Both		
7		<input type="checkbox"/> Designated Biologist <input type="checkbox"/> Designated Monitor <input type="checkbox"/> Both		
8		<input type="checkbox"/> Designated Biologist <input type="checkbox"/> Designated Monitor <input type="checkbox"/> Both		
9		<input type="checkbox"/> Designated Biologist <input type="checkbox"/> Designated Monitor <input type="checkbox"/> Both		
10		<input type="checkbox"/> Designated Biologist <input type="checkbox"/> Designated Monitor <input type="checkbox"/> Both		

Reviewed and submitted by: _____ **Date:** _____
 Permittee or Designated Representative

¹ Requested roles correspond to the biological staffing requirements indicated in the Incidental Take Permit (ITP). Roles may include a "Designated Biologist" with the necessary experience to survey for special-status species or a "Designated Monitor" with the necessary experience to monitor construction activities for special-status species. More than one role may be requested for an individual.

² Please contact the Regional Representative specified in the ITP with any questions about the Condition of Approval numbers for Designated Monitors.

***** Please Note: While use of this form is not mandatory, CDFW strongly recommends completing this form as it will ensure the receipt of adequate information and expedite CDFW review of biologist's qualifications. By submitting your resume for review and approval, you are acknowledging that you have received a copy of the ITP, have read it, and understand the role of a Designated Biologist (DB) and Designated Monitor (DM) and the responsibilities of a DB or DM required by the ITP. *****

Name of Biologist & Contact Information

Education: (include year graduated)

Training/Workshops: (be prepared to provide copies of certificates upon request; these should be related to the Covered Species (or similar species) in the Incidental Take Permit)

Certifications: (please provide any copies of a CDFW Scientific Collecting Permit, MOU, or USFWS 10(a)(1)(A) permit; these should be related to the Covered Species (or similar species) in the Incidental Take Permit)

Species Name #1: (Example: Tipton Kangaroo Rat)

Project Name #1: (list the information below for all projects (separately) where the biologist worked with this species)

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Trapping Hours:

Estimated Monitoring Hours:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows excavated:

Project Name #2:

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Trapping Hours:

Estimated Monitoring Hours:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows excavated:

Project Name #3: ...

Species Name #2: (Example: Giant Kangaroo Rat)

Project Name #1: (list the information below for all projects (separately) where the biologist worked with this species)

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Trapping Hours:

Estimated Monitoring Hours:

Precincts/Burrows Observed:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows Excavated:

Project Name #2:

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Trapping Hours:

Estimated Monitoring Hours:

Precincts/Burrows Observed:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows Excavated:

Project Name #3: ...

Species Name #3: (Example: San Joaquin Antelope Squirrel)

Project Name #1: (list the information below for all projects (separately) where biologist worked with this species; projects may be listed more than once under each separate species and please only include projects on the resume that demonstrate experience with the Covered Species in the ITP)

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Survey/Trapping Hours:

Estimated Monitoring Hours:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows excavated:

Project Name #2:

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Survey/Trapping Hours:

Estimated Monitoring Hours:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows excavated:

Project Name #3: ...

Species Name #4: (Example: San Joaquin Kit Fox)

Project Name #1: (list the information below for all projects (separately) where the biologist worked with this species)

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Survey Hours:

Estimated Monitoring Hours:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles (if applicable)

Dens observed (list all potential, known, and/or natal):

Dens excavated (list all potential, known, and/or natal):

Project Name #2:

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Survey Hours:

Estimated Monitoring Hours:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles (if applicable)

Dens observed (list all potential, known, and/or natal):

Dens excavated (list all potential, known, and/or natal):

Project Name #3: ...

Species Name #5: (Example: Other Similar Species only. Examples - other kangaroo rat species/ground squirrel species/kit fox species)

Project Name #1: (list the information below for all projects (separately) where the biologist worked with this species)

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Trapping Hours:

Estimated Monitoring Hours:

Precincts/Burrows Observed:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows Excavated:

Project Name #2:

Location:

Project date completed: To and from date

Incidental Take Permit (ITP) # (and Other Agency Permits):

Lead biologist Information: Name and contact information (phone number and email address)

Reference: Name and contact information, if different from above (phone number and email address)

Work description:

Estimated Trapping Hours:

Estimated Monitoring Hours:

Precincts/Burrows Observed:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows Excavated:

Project Name #3: ...

Include any other relevant information to the Covered Species, implementation of Conditions of Approval in the ITP, or general construction monitoring