



California Department of Fish and Wildlife
REGION 4
1234 EAST SHAW AVENUE
FRESNO, CALIFORNIA 93710

California Endangered Species Act
 Incidental Take Permit No. 2081-2023-048-04
 (Amendment No. 1)

STATE ROUTE 68 DRAINAGE IMPROVEMENTS PROJECT (PROJECT)
CALTRANS EA 05-1J880

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 Transportation (Caltrans)
Principal Officer:	Amy Millan, Senior Environmental Scientist, Supervisor
Contact Person:	AnnMarie Blackburn, (805) 441-8494
Mailing Address:	50 Higuera Street San Luis Obispo, California 93401

II. Amended ITP³ Background:

ITP No. 2081-2023-048-04 was originally issued on June 11, 2025. On September 29, 2025, CDFW received a request from the Permittee for a major amendment (Amendment No. 1) to the original ITP and the corresponding fee payment. The request was to change the amount and type of Project impacts and corresponding compensatory mitigation due avoidance of breeding habitat for the California tiger salamander (*Ambystoma californiense*). Additionally, the Permittee and CDFW agreed to omit drainage system numbers and instead refer to Project locations by post mile to avoid potential confusion regarding specific Project location nomenclature.

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.

³When this incidental take permit and attachments refer to the “ITP”, it means the “Amended ITP” (Amendment No. 1 and Amendment No. 2) unless the context dictates otherwise.

CDFW finds that this Amendment is a Major Amendment, as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(5). Issuance of this Amendment will not increase the amount of take of the Covered Species compared to the Project as originally approved, nor will this Amendment increase other Project impacts on the Covered Species (i.e., “impacts of taking” as used in Fish and Game Code Section 2081, subd. (b)(2)). Issuance of this Amendment does not affect CDFW’s previous determination that issuance of the ITP meets and is otherwise consistent with the permitting criteria set forth in Fish and Game Code section 2081, subdivisions (b) and (c).

CDFW now amends and reissues the ITP. This amended ITP includes all of the operative provisions as of the effective date of this Amended ITP. Attachment 4 to this amended ITP shows the specific red-line changes made to the ITP as a result of this Major Amendment No. 1.

III. 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, 2033**.

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 Condition of Approval 7.9 of this ITP.

IV. Project Location:

The Project is located along State Route (SR) 68 between highway post mile (PM) 6.32 and PM 15.65, in Monterey County, California (Figure 1). The western end of the Project is located within the City of Pacific Grove at latitude 36.56940 and longitude -121.79305 and the eastern end is located 0.2 miles east of the community of Serra Village at latitude 36.60493 and longitude -121.69460 (Figure 2).

V. Project Description:

The Project will improve seven culverts and modify lighting systems along SR 68. Existing culverts at PMs 6.32, 9.05, 9.78, 10.29, 10.56, 13.84, and 15.65 (individually referred to as Work Areas and collectively referred to the Project Area) will be replaced. The Project also includes the installation of new drop inlets, flared end sections, concrete collars, and headwalls, the replacement of and placement of new rock slope protection (RSP), electrical improvements and utility relocation, removal and replacement of right-of-way fencing, equipment access and staging, vegetation trimming and removal, as well as temporary stream diversion and dewatering. The Project is expected to be completed over the course of three years, with work occurring approximately between May 1 and October 31 each year. Post construction, a 3-year plant establishment period will be implemented. The Project will involve approximately 115 working days. Construction activities will be completed at each Work Area within a single year.

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Culvert Work

Construction activities will primarily include removal and replacement of all or portions of the culvert pipes, and improvements to culvert inlets and outlets, including slope stabilization and backfilling. Culverts will be replaced using the cut and cover construction method at PMs 9.78, 10.56, 13.84, and 15.65, and a trenchless construction method will be used at PMs 6.32, 9.05, and 10.29. The culverts at PMs 9.05, 9.78, 10.56, 13.84, and 15.65 will be replaced with culverts that are the same dimensions. At PM 6.32, the existing 24-inch diameter culvert will be replaced with a 36-inch diameter culvert. At PM 10.29, the existing 18-inch diameter culvert will be replaced with a 24-inch diameter culvert. At PMs 6.32, 9.05, and 10.29, the existing culverts will be abandoned in place and filled with clean sand, slurry cement, or a controlled low-strength material.

For the cut and cover construction method, the trench is excavated for the Work Area, the old culvert removed or abandoned in place, appropriate bedding for the new culvert installed, the new culvert installed, and soil or a concrete slurry type of material filled in around the culvert. For the trenchless construction method, the existing culvert will be removed, and the new culvert will be installed in the existing alignment. The trenchless pipe construction methods may include open-shield pipejacking, auger boring, micro-tunneling, pilot tube, and/or guided boring methods. Trenchless construction is expected to require the temporary excavation of sending and receiving pits (each, up to approximately 30-foot-long by 30-foot-wide) for equipment access.

The open-shield pipejacking method requires that a jacking pit and a receiving pit are constructed at each end of the culvert. The pipe is loaded onto the cradle behind the shield, then the pipe is jacked forward into the ground while the soil is simultaneously excavated until the shield reaches the receiving pit. The micro-tunneling method is a remote-controlled, guided, pipejacking method. Slurry, typically comprised of a mix of water, bentonite clay, and other additives depending on site conditions, is used to counterbalance earth and groundwater pressures and stabilize the face. Spoils are suspended in the slurry and removed from the face through discharge pipes to a slurry separation plant at the surface. The auger boring method is a pipejacking technique whereby a casing is installed using an auger boring rig located in the drive pit, as the soil is simultaneously excavated by means of a rotating cutting head. Spoil is removed by the auger. After each casing section has been installed, the auger boring rig retracts, and a new section of casing and augers are attached. The pilot tube method involves a two or three stage process for installing pipes by use of a guided pilot tube, followed by upsizing to install the product pipe.

The Project includes the installation of new permanent features associated with the culverts such as new or replacement drop inlets, flared end sections, concrete collars, headwalls, and RSP. A drop inlet is a round or rectangular box-like concrete structure and will be cast-in-place (poured and formed) and set into the ground where the top is level with the surface of the road shoulder or pavement. The inlet structure is then connected to the culvert with a vertical pipe, at whatever length is necessary to reach the top of the culvert. A flared end section is concrete drainage end treatment used to transition from a culvert to the

surrounding environment and will be pre-cast (constructed at an off-site facility) or cast-in-place. The concrete collars will be pre-cast and are used as rings of concrete placed around pipes to enhance structural stability. Headwalls will be pre-cast or cast-in-place concrete structures. RSP will be placed around the replaced culverts where necessary for long-term erosion control. RSP will be installed with a front-end loader, or similar equipment, and spread in layers using bulldozers or other suitable equipment to minimize voids.

For all of the new permanent features, the ground immediately surrounding the feature will be excavated to the dimensions of the piece, and the feature will be either installed or constructed in-place. The area around the feature will then be backfilled and compacted. Hot mix asphalt will be used to repave the highway where it had been cut for replacing the culvert.

Electrical Improvements and Utility Relocation

Seven existing electrical cabinets and associated existing underground conduit systems will be replaced in the road shoulder on either side of the culverts at PM 15.65. The cabinets and conduits will be connected to existing luminaires via open trenching. The trenching for conduit replacement will be up to 2.5 feet deep. The conduit replacement will occur within the same footprint as the culvert repair/replacement footprint. The seven electrical boxes will be replacing existing electrical boxes.

Equipment Access and Staging

Access areas and haul roads will be required for work at PMs 6.32, 9.05, 9.78, 10.29, 10.56, 13.84, and 15.65. The areas will be cleared of vegetation and regraded as necessary. New permanent, graded and graveled pullouts will be constructed at the roadside at PMs 6.32, 9.05, and 10.29 for long-term maintenance access. These areas are already disturbed and used as road pull-outs, so they may require only minor improvements. Equipment staging areas will be restricted to planned access and haul roads or existing paved or gravel pullouts.

Vegetation Management and Erosion Control

Trees, shrubs, and herbaceous vegetation will be cleared and grubbed around the culvert Work Areas, access/haul roads, and staging areas. A total of approximately 48 coast live oak (*Quercus agrifolia*) trees less than or equal to 24 inches diameter and breast height (DBH) are estimated to be removed at PMs 6.32, 9.05, and 10.29. A total of approximately 179 coast live oak trees will be replanted at and near these three locations. Replanting will be completed either immediately after culvert installation or after the culvert construction portion of the project. When needed, herbicide will be applied to assist in invasive upland plant species removal within the Work Areas. Herbicides that may be used include glyphosate, imazapyr, and triclopyr. Herbicide will be applied by a licensed applicator by spot spraying via a backpack or pump sprayer and/or by a cut and paint technique.

Stream Diversion and Dewatering

To isolate construction sites from flowing water, stream diversion and dewatering will likely be required at PMs 9.05, 9.78, and 10.56 where surface water is anticipated to be present late

into the year. In-stream diversion will occur using a via coffer dams and diversion pipes, supplemented with dewatering by pump and screened hose to remove most surface water from the channel within the Work Areas. Cofferdams will be constructed with gravel bags, or other material, and will be situated as close to the culvert as practical to minimize impacts to each Work Area. Water will be pumped across the road through a covered hose or pipe to protect the water quality and returned to the channel immediately downstream of the Work Area.

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

This ITP covers the following species:

<u>Name</u>	<u>CESA Status</u> ⁴
1. California tiger salamander (<i>Ambystoma californiense</i>)	Threatened ⁵

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

VII. 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 that are expected to result in incidental take of individuals of the Covered Species include replacement of culverts via cut and cover and trenchless construction; installation of drop inlets, flared end sections, concrete collars, headwalls, and RSP; replacing electrical systems; construction of new permanent roadside pull-outs; equipment access and staging; vegetation trimming, removal and planting; and temporary stream diversion and dewatering (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 vehicle or equipment strikes during ingress and egress and hauling of materials, collapse or excavation of occupied burrows that results in crushing or suffocation of underground individuals during grading and compaction, entombment of individuals from deposition of stockpiled material or spoils over occupied burrows and during top soil, or soil compaction, grading activities, the capture or entrapment in holes or trenches, and excavation of burrow systems. Incidental take of Covered Species may also occur from the Covered Activities in the form of pursuit, catch, capture, or attempt to do so through entrapment within Covered Species exclusion fencing constructed around the Project Area or during capture and relocation of Covered Species out of harm's way as required by this ITP; and by loss of habitat. Incidental take of individuals may also occur from the Project’s incremental contribution to cumulative impacts (indirect impacts) including stress resulting from noise and vibrations from construction activities, burrow excavation, and capture and relocation; long-term effects from exposure to chemical contamination from uncured concrete, concrete dust, drilling fluids, petroleum products, paint, and other construction

⁴ Under CESA, a species may be on the list of endangered species, the list of threatened species, or the list of candidate species.

⁵See Cal. Code Regs. tit. 14 § 670.5, subd. (b)(3)G).

chemicals; loss of burrowing habitat used for shelter, reproduction, and escape cover; displacement from preferred habitat; increased competition for food and space; introduction or spread of invasive species; changes in drainage patterns; and increased vulnerability to predation. Even though the proposed work is temporary, the effects could be longer-lasting if feeding or reproduction are impacted. The areas where authorized take of the Covered Species is expected to occur include PMs 6.32, 9.05, 9.75, 10.29, 10.56, 13.84, and 15.65 (Collectively, the Project Area).

The Project is expected to cause the permanent loss of approximately 0.09 acre of upland habitat for the Covered Species. Other habitat impacts will include the long-term loss of approximately 0.76 acre of upland habitat for the Covered Species due to tree and shrub removal, and the temporary loss of approximately 0.47 acre of upland habitat for the Covered Species. Temporary habitat impacts are from ground disturbance associated with constructing features, access, and staging. Temporary impacts are expected to be less than one year between initial disturbance and restoration to pre-construction conditions, while long-term impacts are expected to take eight or more years to restore species habitat to pre-construction conditions.

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

IX. 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 Compliance:** Permittee shall implement and adhere to the mitigation measures related to the Covered Species in the Biological Resources section of the Mitigated Negative Declaration and Initial Study (SCH No.: 2022010336) adopted by California Department of Transportation on February 21, 2002

as lead agency for the Project pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.).

- 3. Lake or Streambed Alteration Agreement Compliance:** Permittee shall implement and adhere to the mitigation measures and conditions related to the Covered Species in the Lake and Streambed Alteration Agreement (Notification No. EPIMS-MON-42355-R4) for the Project executed by CDFW pursuant to Fish and Game Code section 1600 et seq.
- 4. Federal Endangered Species Act Compliance:** Permittee shall implement and adhere to the terms and conditions related to the Covered Species in the Biological Opinion on the Route 68 Drainage Improvements Project, Monterey County, California (2022-0018616-S7) for the Project pursuant to the Federal Endangered Species Act. 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.
- 5. 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.

6. General Provisions:

- 6.1. 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.
- 6.2. Designated Biologist(s) and Designated Monitor(s).** Permittee shall submit to CDFW in writing the name, qualifications, business address, and contact information of the Designated Biologist(s) and Biological Monitor(s) using the Biologist Resume Form (Attachment 2) or another format containing the same information at least 30 days before starting Covered Activities. The Designated Monitors may assist the Designated Biologists in compliance monitoring under the direct supervision of the Designated Biologists and as specified in Condition of Approval 6.8 below. Permittee shall ensure that the Designated Biologist and Designated Monitor(s) are knowledgeable and experienced in the biology, natural history, collecting, and handling of the Covered Species. The 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'

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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.

- 6.3. Designated Biologist and Designated Monitor Authority.** To ensure compliance with the Conditions of Approval of this ITP, the Designated Biologist(s) and Designated Monitor(s) shall immediately stop any activity that does not comply with this ITP and/or order any reasonable measure to avoid the unauthorized take of an individual of the Covered Species. Permittee shall provide unfettered access to the Project Site and otherwise facilitate the Designated Biologist(s) and Designated Monitor(s) in the performance of their duties. If a Designated Biologist or Designated Monitor is unable to comply with the ITP, then they shall notify the CDFW Representative immediately. Permittee shall not enter into any agreement or contract of any kind, including but not limited to non-disclosure agreements and confidentiality agreements, with its contractors and/or the Designated Biologist(s) and 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.
- 6.4. Education Program.** Permittee shall conduct an education program for all persons employed or otherwise working in the Project Area before performing any work. The program shall consist of a presentation from 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 for non-English speaking workers, and the same instruction shall be provided to any new workers before they are authorized to perform work in the Project Area. Upon completion of the program, employees shall sign a form stating they attended the program and understand all protection measures. This training shall be repeated at least once annually for long-term and/or permanent employees that will be conducting work in the Project Area.
- 6.5. 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.

- 6.6. 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.
- 6.7. 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.
- 6.8. Erosion Control Materials.** Permittee shall prohibit use of erosion control materials potentially harmful to Covered Species and other species, such as monofilament netting (erosion control matting) or similar material, in potential Covered Species' habitat.
- 6.9. Delineation of Property Boundaries.** Before starting Covered Activities along each part of the route in active construction, Permittee shall clearly delineate the boundaries of the Project Area with fencing, stakes, or flags. Permittee shall restrict all Covered Activities to within the fenced, staked, or flagged areas. Permittee shall maintain all fencing, stakes, and flags until the completion of Covered Activities in that area.
- 6.10. 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.
- 6.11. Project Access.** Project-related personnel shall access the Project Area using existing routes, or routes identified in the Project Description, and shall not cross Covered Species' habitat outside of or enroute to the Project Area. Permittee shall restrict Project-related vehicle traffic to established roads, staging, and parking areas. Permittee shall ensure that vehicle speeds do not exceed 20 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.

- 6.12. Staging Areas.** Permittee shall confine all Project-related parking, storage areas, laydown sites, equipment storage, and any other surface-disturbing activities to the Project Area using, to the extent possible, previously disturbed areas. Additionally, Permittee shall not use or cross Covered Species' habitat outside of the marked Project Area unless provided for as described in Project Access Condition of Approval (above) of this ITP.
- 6.13. 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.
- 6.14. CDFW Access.** Permittee shall provide CDFW staff with reasonable access to the Project and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in this ITP.
- 6.15. 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.

7. Monitoring, Notification and Reporting Provisions:

- 7.1. Notification Before Commencement.** The Designated Representative shall notify CDFW at least 14 calendar days before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities.
- 7.2. Notification of Non-compliance.** The Designated Representative shall immediately notify CDFW if the Permittee is not in compliance with any Condition of Approval of this ITP, including but not limited to any actual or anticipated failure to implement measures within the time periods indicated in this ITP and/or the MMRP. The Designated Representative shall follow up within 24 hours with a written report to CDFW describing, in detail, any non-compliance with this ITP and suggested measures to remedy the situation.
- 7.3. Pre-Activity Clearance Survey Reports.** Prior to starting Covered Activities at each Work Area or Project location, Permittee shall prepare and submit to CDFW the results of pre-activity surveys and maps of burrows/crevices required by the Pre-Activity Clearance Surveys and Flag and Map Burrow/Crevices Conditions of Approval.

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

The Designated Biologist(s) and Designated Monitor(s) shall conduct compliance inspections to: (1) minimize incidental take of the Covered Species; (2) prevent unlawful take of species; (3) check for compliance with all measures of this ITP; (4) 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. The Designated Representative, Designated Biologist(s), and Designated Monitor(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.

- 7.5. Covered Species Mortality Reduction and Relocation Plan.** The Designated Biologist(s) shall prepare a Covered Species Mortality Reduction and Relocation Plan and submit it to CDFW for review and approval a minimum of 30 days prior to the beginning of Covered Activities. The Covered Species Mortality Reduction and Relocation Plan shall include, but not be limited to, a discussion and map of the portion of the Project Area which represents potential upland habitat; identification of the areas within both 1.3 miles and 1,844 feet of known or potential breeding habitat for Covered Species; detailed survey, capture, handling, and relocation methods; identification of relocation areas; required frequency and duration of compliance monitoring per the Compliance Monitoring Condition of Approval; and identification of a wildlife rehabilitation center or veterinary facility capable of treating injured animals and having specifically agreed to intake and treat injured animals for this Project. If applicable, the Covered Species Mortality Reduction and Relocation Plan shall include plans for exclusionary fencing including the type of fencing material and detailed design (including maps), installation methods, gate design and location, and inspection, maintenance, repair, and replacement methods and intervals, and in compliance with the Covered Species Exclusion Fencing and Exclusion Fencing Installation and Removal Conditions of Approval. Covered Activities may not proceed until the Covered Species Mortality Reduction and Relocation Plan is approved in writing by CDFW. Designated Monitor(s) are prohibited from capturing and handling the Covered Species unless specifically

approved in writing by CDFW and under the direct supervision of the Designated Biologist(s). Any proposed changes to the CDFW-approved Covered Species Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed Covered Species Mortality Reduction and Relocation Plan modifications.

- 7.6. Monthly Compliance Report. The Designated Representative, a Designated Biologist, or a Designated Monitor shall compile the observation and inspection records identified in Compliance Monitoring Condition of Approval into a Monthly Compliance Report and submit it to CDFW along with a copy of the MMRP table with notes showing the current implementation status of each mitigation measure. Monthly Compliance Reports to the CDFW offices listed in the Notices section of this ITP and via e-mail to CDFW's Regional Representative and Headquarters CESA Program by the 10th day of the following month. At the time of this ITP's approval, the CDFW Regional Representative is Mindy Trask (Mary.Trask@wildlife.ca.gov) and Headquarters CESA Program email is CESA@wildlife.ca.gov. CDFW may at any time change 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.
- 7.7. 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. Each ASR shall include, at a minimum: (1) a summary of all Monthly Compliance Reports for that year identified in Monthly Compliance Report Condition of Approval; (2) a general description of the status of the Project Area and Covered Activities, including actual or projected completion dates, if known; (3) a copy of the table in the MMRP with notes showing the current implementation status of each mitigation measure; (4) an assessment of the effectiveness of each completed or partially completed mitigation measure in avoiding, minimizing and mitigating Project impacts; (5) all available information about Project-related incidental take of the Covered Species; (6) an accounting of the number of acres subject to both temporary and permanent disturbance, both for the prior calendar year, and a total since ITP issuance; and (7) information about other Project impacts on the Covered Species.
- 7.8. California Natural Diversity Database Observations. The Designated Biologist(s) and Designated Monitor(s) shall submit all observations of Covered Species to CDFW's California Natural Diversity Database within 60 calendar days of the observation and shall include copies of the submitted forms with the next Monthly Compliance Report or ASR, whichever is submitted first relative to the observation.

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

7.10. Notification of Take or Injury. Permittee shall immediately notify the Designated Biologist(s) if a Covered Species is killed or injured by a Project-related activity, or if a Covered Species is otherwise found dead or injured within the vicinity of the Project. The Designated Biologist or Designated Representative shall provide initial notification to CDFW by calling the Regional Office at (559) 243-4005 and CDFW Regional Representative. The initial notification to CDFW shall include information regarding the location, species, and number of animals killed or injured and the ITP Number. Permittee shall adhere to the Covered Species Injury Condition of Approval, as applicable. Following initial notification, Permittee shall send CDFW a written report within two calendar days. The report shall include the date and time of the finding or incident, location of the animal or carcass, and if possible, provide a photograph, explanation as to cause of take or injury, proposed measures to minimize risks of additional mortality or injury, and any other pertinent information. If Covered Species is found deceased, the Designated Biologist(s) shall immediately collect, bag, and freeze the carcass and consult with the CDFW Designated Representative to determine if submittal of the carcass to a laboratory is warranted.

8. 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:

8.1. Pre-Activity Clearance Surveys. No more than 14 days prior to starting Covered Activities at each Work Area, the Designated Biologist(s) shall survey each Work Area for Covered Species individuals. Designated Monitor(s) may assist with pre-activity surveys when accompanied by Designated Biologist(s). Surveys shall be repeated if there has been a break in Covered Activities at any given Work Area of more than 30-days. These surveys shall provide 100 percent visual coverage (including burrow and crevice openings) of the Work Area and a 50-foot buffer

zone around the Work Area. If any life stages (adults, metamorphs, eggs, or larvae) of Covered Species are found within a Work Area, the Designated Biologist shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan Condition of Approval. Permittee shall provide the survey results to CDFW as per the Pre-Activity Clearance Survey Reports Condition of Approval.

- 8.2. Flag and Map Burrows/Crevices.** During Pre-Activity Clearance Survey and Reporting Condition of Approval, the Designated Biologist(s) shall flag and map the locations of all accessible animal burrows and crevices suitable for Covered Species occupancy within each the Work Area including a 50-foot buffer outside those areas to alert work crews to their presence. For the purposes of this ITP, “accessible” is defined as within the highway right-of-way or the Work Area and safe for workers to access. Specific Designated Monitor(s) may conduct burrow flagging upon written approval from CDFW. Accessible burrows and crevices located within the Work Area that are also within 1,844 feet of known or potential breeding habitat (includes seasonal ponds, stock or otherwise human-created and managed ponds, and potential pools in streams) shall be distinctively flagged and mapped for burrow/crevice excavation. The mapped locations of all animal burrows and crevices suitable for Covered Species occupancy shall be submitted with the Pre-Activity Clearance Survey Reports. An avoidance buffer of 50 feet or greater around animal burrows/crevices suitable for Covered Species occupancy shall be maintained, where feasible.
- 8.3. Burrow/Crevice Excavation.** Prior to initiating Covered Activities within a Work Area, animal burrows and crevices identified and flagged as within 1,844 feet of known or potential breeding habitat during the Pre-Activity Clearance Survey and Reporting and Flag Burrows/Crevices Conditions of Approval, that are within the Work Area and cannot be avoided shall be fully excavated under the direct supervision of the Designated Biologist(s) based on the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. The Designated Biologist(s) shall relocate any live Covered Species discovered during burrow excavation in accordance with the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. Excavation shall occur no more than 14 days after the completion of the Pre-Activity Clearance Survey and Reporting Condition of Approval.
- 8.4. Covered Species Temporary Exclusion Fencing.** Prior to initiation of Covered Activities and following surveying, flagging, and excavating burrows/crevices in accordance with Pre-Activity Clearance Survey and Reporting, Flag and Map Burrow/Crevices, and Burrow/Crevice Excavation Conditions of Approval, Permittee shall install temporary exclusion fencing around the perimeter of each Work Area to prevent Covered Species from accessing the Work Area according to the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. Alternatively, full-time monitoring by the Designated Biologist and/or Designated

Monitor shall occur during Covered Activities, according to the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. If used, the Covered Species temporary exclusion fence shall be buried a minimum of four inches below ground surface and shall be equipped with one-way exits to avoid entrapment of Covered Species and other amphibians or reptiles. Permittee shall also avoid small mammal burrows by a minimum of 50 feet during the installation of the exclusion fencing, as feasible. Installation of temporary exclusion fencing shall not proceed until a Covered Species Temporary Exclusion Fencing Plan has been approved in writing by CDFW.

- 8.5. Exclusion Fencing Installation and Removal.** If temporary exclusion fencing is used, it shall be installed no later than 48 hours after the burrow and crevice excavation/salvage work is completed and before clearing and grading. The Designated Biologist(s) shall accompany the temporary exclusion fence construction crew to ensure that the temporary exclusion fencing is installed as per the Covered Species Mortality Reduction and Relocation Plan and that Covered Species are not killed or injured during fence installation. Specific Designated Monitor(s) may provide monitoring during temporary exclusion fence installation and removal upon written approval from CDFW. The temporary exclusion fencing shall be supported sufficiently to maintain its integrity under all conditions such as wind and heavy rain for the duration of the Covered Activities. The Designated Biologist(s) or Designated Monitor(s) shall check the temporary exclusion fence at least once weekly during periods of inactivity to monitor for Covered Species that may need relocating according to the CDFW-approved Covered Species Mortality Reduction and Relocation Plan and to maintain/repair the fence as necessary to ensure its effectiveness. The temporary exclusion fence shall be removed immediately upon completion of Covered Activities, which shall be monitored by Designation Biologist(s) or approved Designated Monitor(s).
- 8.6. Precipitation.** Permittee shall monitor the National Weather Service 72-hour forecast for the Project Area. If a 70 percent or greater chance of over 0.5-inch rainfall is predicted within 72 hours, or if rainfall commences, Permittee shall cease all Covered Activities in all portions of the Project Area where Burrow/Crevice Excavation and Covered Species Exclusion Fencing Conditions of Approval have not yet been completed or if temporary exclusionary fencing has not been erected around the Project Area according to the Covered Species Exclusion Fencing Condition of Approval. Work may re-commence 24 hours after the rain ceases and there is zero percent chance of precipitation in the 72-hour forecast. The Designated Biologist(s) and Designated Monitor(s) shall the Project Area before Covered Activities resume search for Covered Species and Designated Monitor shall capture and relocate any that are discovered during the surveys according to the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. Covered Activities may continue during rainfall events if exclusion fencing has been

installed in accordance with the CDFW-approved Covered Species Mortality Reduction and Relocation Plan.

- 8.7. Fieldwork Code of Practice. To ensure that the Designated Biologist(s) does not convey disease between the Work Areas and areas outside the Project Area, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force Fieldwork Code of Practice (see Attachment 3) shall be always followed. The Designated Biologist may substitute a bleach solution (0.5 to 1.0 cup of bleach to 1.0 gallon of water) for the ethanol solution. The Designated Biologist(s) shall ensure that all traces of the disinfectant are removed before entering the next aquatic habitat.
- 8.8. Covered Species Observations. During all Covered Activities within the Project Area, all workers shall inform the Designated Biologist(s) if a Covered Species is observed within or near the Project Area. All work in the vicinity of the Covered Species, which could injure or kill the animal, shall cease immediately until the Covered Species moves from the Project Area of its own accord or is relocated by the Designated Biologist(s) in accordance with the CDFW-approved Covered Species Mortality Reduction and Relocation Plan.
- 8.9. Open Excavation Inspection. Workers shall inspect all open holes, sumps, and trenches within the Project Area at the beginning, middle, and end of each day for trapped Covered Species. To prevent inadvertent entrapment of Covered Species, all open trenches, holes, sumps, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope shall have an escape ramp of earth or a non-slip material with a less than 1:1 (45 degree) slope. The Designated Biologist(s) and Designated Monitor(s) shall thoroughly inspect all trenches, holes, sumps, and other excavations for Covered Species (or other wildlife) before they are backfilled. If any worker discovers that Covered Species have become trapped, Permittee shall cease all Project-related activities in the vicinity and notify the Designated Biologist(s) immediately. Project workers, the Designated Biologist(s) and Designated Monitor(s) shall provide the opportunity for the Covered Species to escape unimpeded out of the Work Area before allowing work to continue. Alternatively, if the Covered Species will not leave a given Work Area unimpeded, the Designated Biologist(s) shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan.
- 8.10. Materials, Vehicle and Equipment Inspection. Workers shall thoroughly inspect all vehicles, construction materials, and other equipment that are stored for one or more overnight periods for the Covered Species before the object is subsequently moved, buried, or capped. If a Covered Species is present, the worker shall stop work and notify the Designated Biologist(s) and wait for the Covered Species to move unimpeded out of the Work Area. Alternatively, if the Covered Species will not leave the Work Area unimpeded, the Designated Biologist(s) shall capture and

relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan.

- 8.11. Stockpiles. Permittee shall ensure that soil stockpiles are placed where soil shall not pass into potential Covered Species breeding habitat, or into any "Waters of the State," including streams that traverse the Project Area, in accordance with Fish and Game Code section 5650. Permittee shall appropriately protect stockpiles to prevent soil erosion.
- 8.12. Herbicide Use. Permittee shall not use herbicides at any time during Project Activities (including plant establishment) unless the Designated Biologist(s) or an approved Designated Monitor(s) surveys the application area and determines that Covered Species are not present. Permittee shall ensure that all herbicide use (mixing, application, and clean-up) is done by a licensed applicator in accordance with all applicable State, federal, and local regulations. Permittee shall only apply herbicide sprays via ground application when wind speed measures less than three miles per hour. Permittee shall ensure that great care is taken to avoid herbicide outside the boundaries of the Project Area. All herbicide sprays utilized within the Project Area shall contain a dye to prevent overspray.
- 8.13. Avoid Introduction of Herbicides into Waters. Permittee shall ensure herbicide mixing occurs within the Project Area where there is no potential of a spill reaching waters at and near the Project Area. Permittee shall ensure that any herbicide used where there is the possibility that the herbicide could come into direct contact with water is approved for use in an aquatic environment.
- 8.14. Covered Species Injury. If a Covered Species is injured as a result of Project-related activities, the Designated Biologist(s) shall immediately take it to a CDFW approved wildlife rehabilitation or veterinary facility as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. Permittee shall bear any costs associated with the care or treatment of such injured Covered Species. The Permittee shall notify CDFW of the injury to the Covered Species immediately by telephone and e-mail followed by a written incident report as described in Notification of Take or Injury Condition of Approval.

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

- 9.1. Covered Species Credits.** Permittee shall purchase Covered Species credits to complete compensatory mitigation obligations. Permittee shall purchase 3.106 acres of California tiger salamander upland credits from a CDFW-approved mitigation or conservation bank prior to initiating Covered Activities and submit to CDFW a copy of the Bill of Sale and Payment Receipt or Credit Transfer Agreement for the purchase of Covered Species credits. 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.
- 9.2. Habitat Restoration.** Permittee shall restore, on-site, the approximate 1.255 acres of Covered Species habitat that will be temporarily disturbed (including long-term) during construction to pre-project or better conditions. At least 30 days prior to implementing restoration activities, the Permittee shall submit a Restoration Plan to CDFW for review and approval. The goal of restoration is to facilitate revegetation of temporary construction disturbance on-site and shall ensure that the Restoration Plan is successfully implemented by the contractor. The Restoration Plan shall include detailed specifications for restoring all temporarily disturbed areas, such as seed mixes and application methods. The plan shall also indicate the best time of year for seeding to occur. Permittee shall seed all temporarily disturbed (including long term disturbance areas) with a weed-free seed mix using at least three species that are locally appropriate and native to the California central coast ecoregion. Up to two sterile non-native grass species may be added to the seed mix if that amount does not exceed 25 percent of the total seed mix by count. Permittee shall submit the proposed seed mixture to be used to CDFW for written approval prior to application. The seeding shall be completed as soon as possible after the completion of Covered Activities at each Work Area, but not later than November 15, or as otherwise approved in advance and in writing by CDFW.

The Restoration Plan shall include a description of trees and shrubs removed, identify the location(s) and species for replacement plantings, and a plan for monitoring and maintenance to ensure 70 percent survival of required tree and shrub plantings for a minimum period of five consecutive years, including up to three consecutive years with supplemental irrigation, and a minimum of two years without such assistance, or as otherwise approved by CDFW. The Restoration Plan shall also include remedial actions that will be taken in the event that plantings are not successful. The Restoration Plan shall establish Year 0 (zero) as the year that plantings will occur. Year 0 shall not commence more than 12 months from the start of Covered Activities in each Work Area that will result in removal of vegetation. Replacement plantings shall be subject to a new five-year monitoring and reporting period to document the successful establishment of those plantings.

X. 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.

XI. 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.

XII. Liability:

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

XIII. 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.

XIV. 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 (2081-2023-048-04-A1) in a cover letter and on any other associated documents.

Original cover with attachment to:

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

and a copy to:

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

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

Mindy Trask
3196 South Higuera Street, Suite A
San Luis Obispo, California 93401
Telephone (559) 939-0282
Mary.Trask@wildlife.ca.gov

XV. Compliance with the California Environmental Quality Act:

CDFW's issuance of this ITP is subject to CEQA. CDFW is a responsible agency pursuant to CEQA with respect to this ITP because of prior environmental review of the Project by the lead agency, Caltrans. (See generally Pub. Resources Code, §§ 21067, 21069.) The lead agency's prior environmental review of the Project is set forth in the State Route 68 Drainage Improvements Initial Study with Mitigated Negative Declaration (SCH No. 2022010336), dated June 2022, that Caltrans adopted for State Route 68 Drainage Improvements on June 24, 2022. At the time the lead agency adopted the Mitigated Negative Declaration and approved the Project, it also adopted various mitigation measures for the Covered Species as conditions of Project approval.

Incidental Take Permit
No. 2081-2023-048-04 (Amendment No. 1)
CALIFORNIA DEPARTMENT OF TRANSPORTATION
ROUTE 68 DRAINAGE IMPROVEMENTS PROJECT

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 Mitigated Negative Declaration for the Project and the environmental effects related to issuance of this ITP (CEQA Guidelines, § 15096, subd. (f)). CDFW finds that issuance of this ITP will not result in any previously undisclosed potentially significant effects on the environment or a substantial increase in the severity of any potentially significant environmental effects previously disclosed by the lead agency. Furthermore, to the extent the potential for such effects exists, CDFW finds adherence to and implementation of the Conditions of Project Approval adopted by the lead agency, and that adherence to and implementation of the Conditions of Approval imposed by CDFW through the issuance of this ITP, will avoid or reduce to below a level of significance any such potential effects. CDFW consequently finds that issuance of this ITP will not result in any significant, adverse impacts on the environment.

XVI. Findings Pursuant to CESA:

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

CDFW finds based on substantial evidence in the ITP application, State Route 68 Drainage Improvements Mitigated Negative Declaration (SCH No. 2022010336), the USFWS Section 7 Consultation (2022-0018616-S7), and the administrative record of proceedings, that issuance of this ITP complies and is consistent with the criteria governing the issuance of ITPs pursuant to CESA:

- (1) Take of Covered Species as defined in this ITP will be incidental to the otherwise lawful activities covered under this ITP;
- (2) Impacts of the taking on Covered Species will be minimized and fully mitigated through the implementation of measures required by this ITP and as described in the MMRP. Measures include: (1) permanent habitat protection; (2) establishment of avoidance zones; (3) worker education; and (4) Monthly and Annual Compliance Reports. CDFW evaluated factors including an assessment of the importance of the habitat in the Project Area, the extent to which the Covered Activities will impact the habitat, and CDFW's estimate of the acreage required to provide for adequate compensation. Based on this evaluation, CDFW determined that the protection and management in perpetuity of 3.106 acres of compensatory habitat that is contiguous with other protected Covered Species habitat and/or is of higher quality than the habitat being destroyed by the Project, along with the minimization, monitoring, reporting, and funding requirements of this ITP minimizes and fully mitigates the impacts of the taking caused by the Project;
- (3) The take avoidance and mitigation measures required pursuant to the conditions of this ITP and its attachments are roughly proportional in extent to the impacts of the taking authorized by this ITP;

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- (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.

XVII. Attachments:

FIGURE 1	Project Location Map
FIGURE 2	Project Impact Maps
ATTACHMENT 1	Mitigation Monitoring and Reporting Program
ATTACHMENT 2	Biologist Resume Form
ATTACHMENT 3	Declining Amphibian Task Force Fieldwork Code of Practice
ATTACHMENT 4	Amendment 1 with Track Changes

ISSUED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ON

12/11/2025

DocuSigned by:

 EA83F00FE08945A...

Julie A. Vance, Regional Manager
 Region 4

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Figure 1

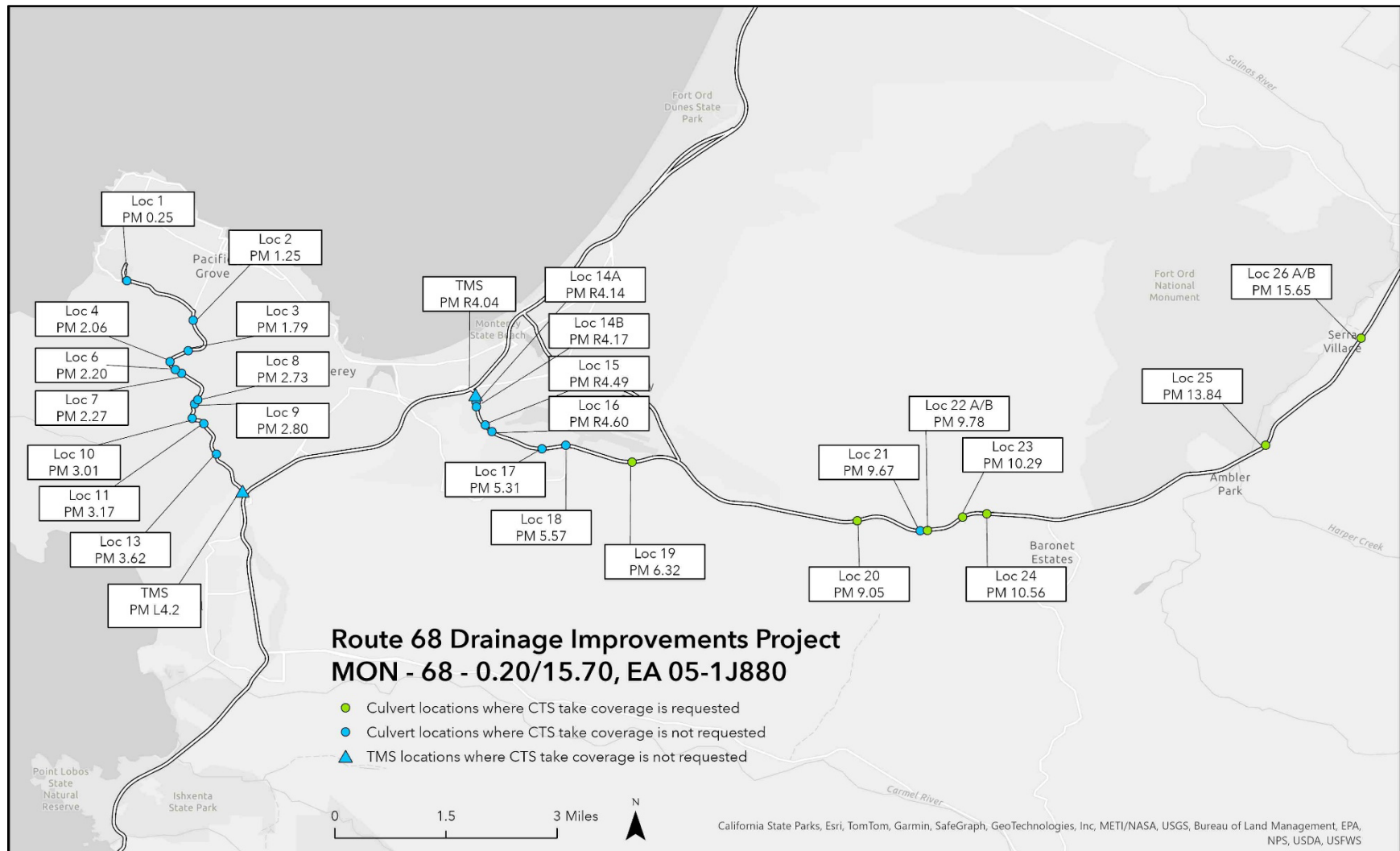
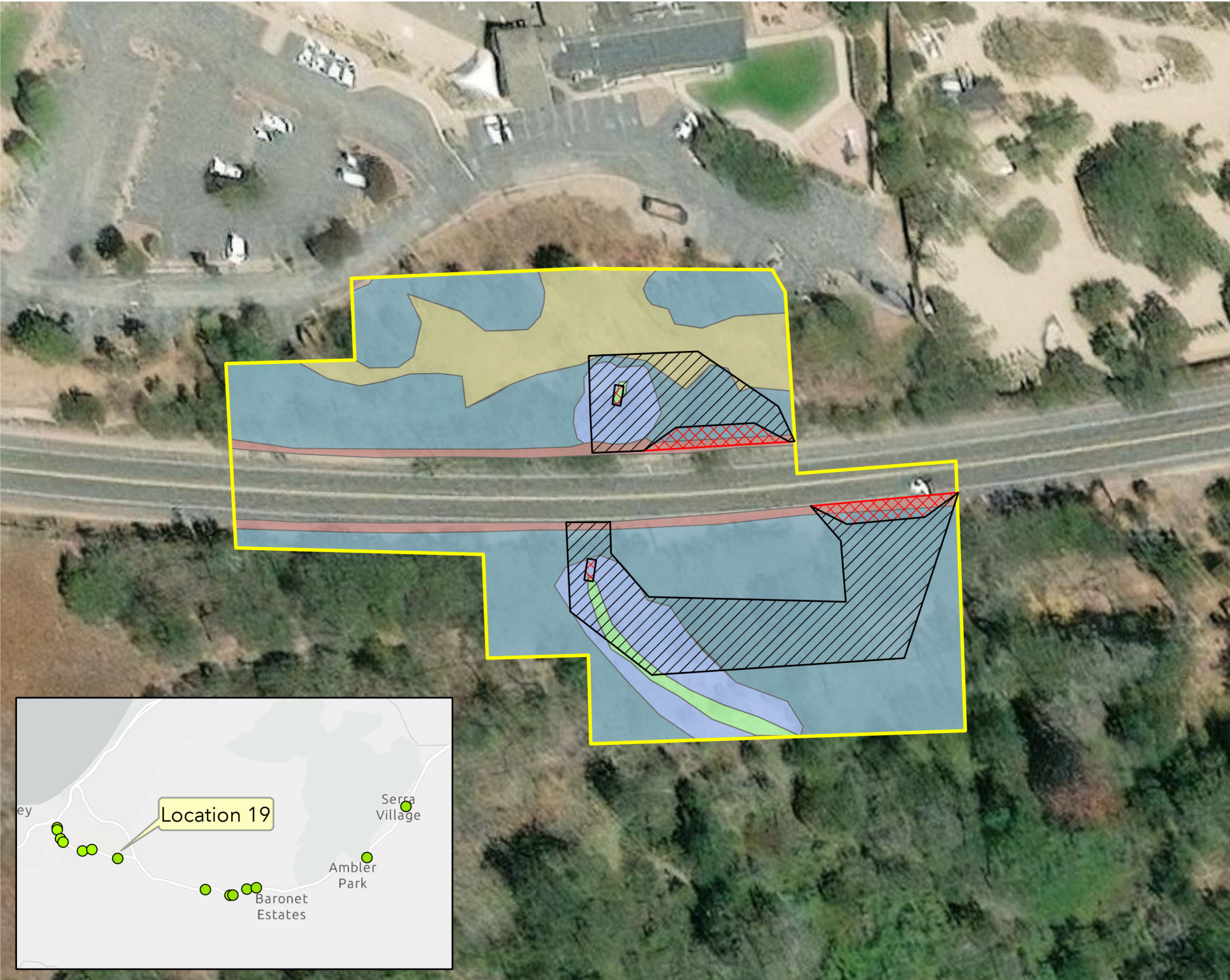


Figure 1. Location of Route 68 Drainage Improvements Project (Monterey County)



Route 68 Drainage improvements
PM 0.25 - PM 15.65
0518000083 / EA 05-1J880

Location 19 - PM 6.32

- Biological Study Area
- Temporary Impacts
- Permanent Impacts
- Vegetation Communities
 - Coyote Brush Scrub
 - Landscaped
 - Oak Woodland
 - Ruderal
- Jurisdictional Features
 - Developed
 - Lake bank
 - RSP- lined Channel
 - Riparian
 - Stormwater Ditch
 - Streambank
 - Streambed
 - Wetland



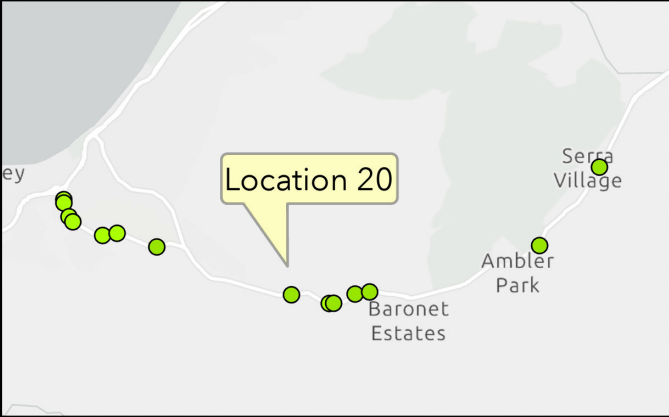
Figure 2

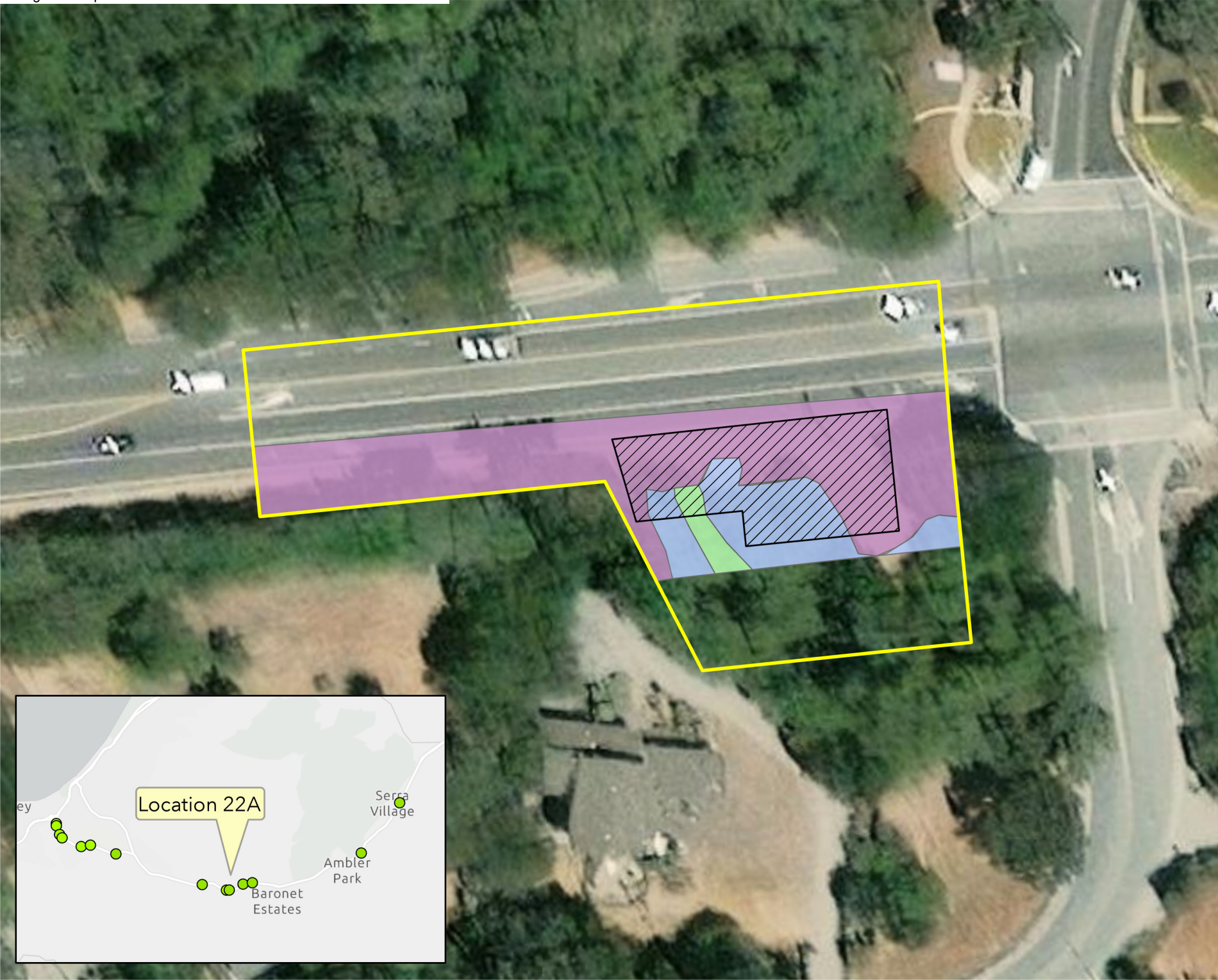


Route 68 Drainage improvements
PM 0.25 - PM 15.65
0518000083 / EA 05-1J880

Location 20 - PM 9.05

- Biological Study Area
- Temporary Impacts
- Permanent Impacts
- Vegetation Communities
 - Coyote Brush Scrub
 - Landscaped
 - Oak Woodland
 - Ruderal
- Jurisdictional Features
 - Developed
 - Lake bank
 - RSP- lined Channel
 - Riparian
 - Stormwater Ditch
 - Streambank
 - Streambed
 - Wetland





Route 68 Drainage improvements
PM 0.25 - PM 15.65
0518000083 / EA 05-1J880

Location 22A - PM 9.78

- Biological Study Area
- Temporary Impacts
- Permanent Impacts
- Vegetation Communities
 - Coyote Brush Scrub
 - Landscaped
 - Oak Woodland
 - Ruderal
- Jurisdictional Features
 - Developed
 - Lake bank
 - RSP- lined Channel
 - Riparian
 - Stormwater Ditch
 - Streambank
 - Streambed
 - Wetland

0 0.01 0.02 Miles





Route 68 Drainage improvements
PM 0.25 - PM 15.65
0518000083 / EA 05-1J880

Location 23 - PM 10.29

- Biological Study Area
- Temporary Impacts
- Permanent Impacts
- Vegetation Communities
 - Coyote Brush Scrub
 - Landscaped
 - Oak Woodland
 - Ruderal
- Jurisdictional Features
 - Developed
 - Lake bank
 - RSP- lined Channel
 - Riparian
 - Stormwater Ditch
 - Streambank
 - Streambed
 - Wetland



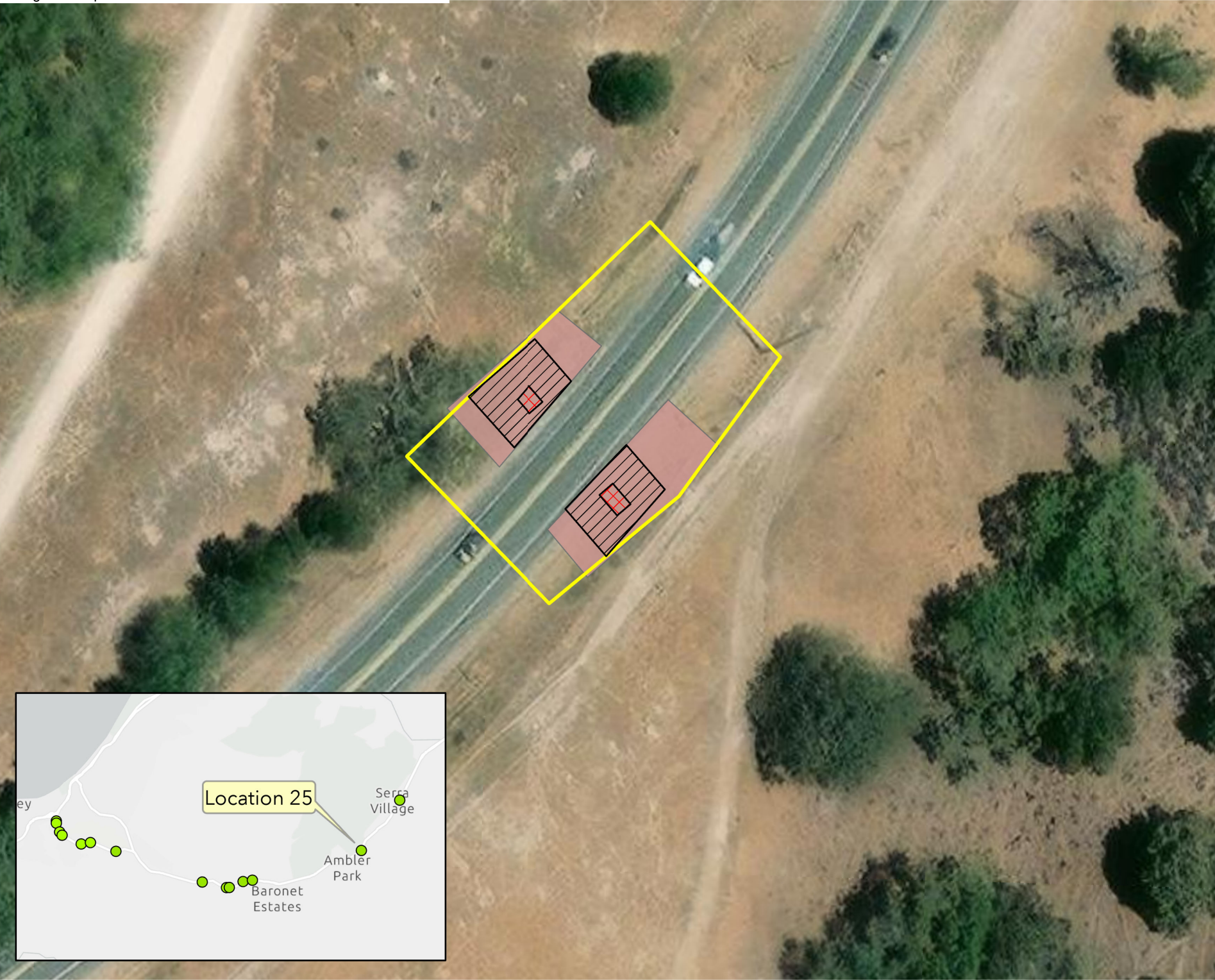


Route 68 Drainage improvements
PM 0.25 - PM 15.65
0518000083 / EA 05-1J880

Location 24 - PM 10.56

- Biological Study Area
- Temporary Impacts
- Permanent Impacts
- Vegetation Communities
 - Coyote Brush Scrub
 - Landscaped
 - Oak Woodland
 - Ruderal
- Jurisdictional Features
 - Developed
 - Lake bank
 - RSP- lined Channel
 - Riparian
 - Stormwater Ditch
 - Streambank
 - Streambed
 - Wetland



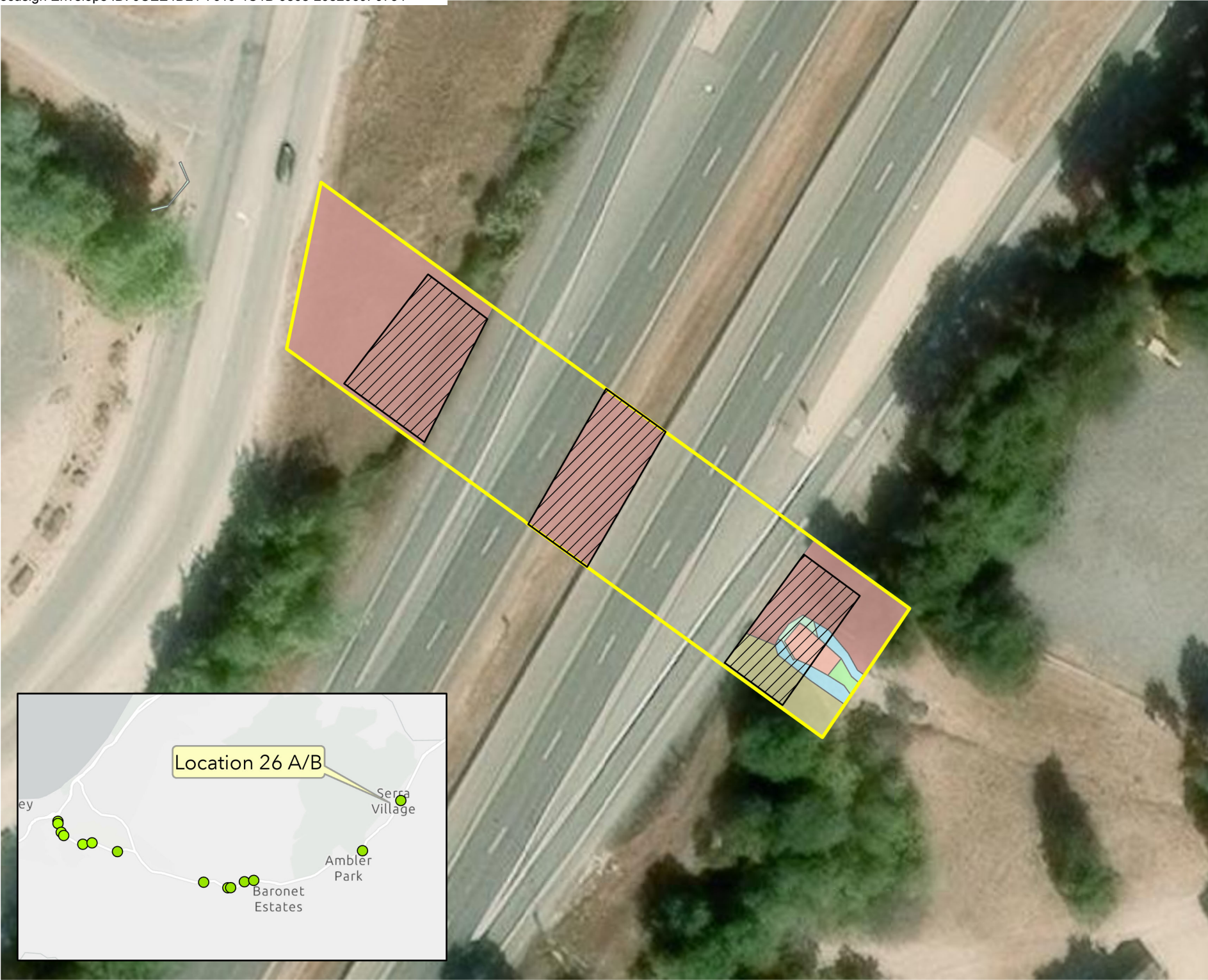


Route 68 Drainage improvements
PM 0.25 - PM 15.65
0518000083 / EA 05-1J880

Location 25 - PM 13.84

- Biological Study Area
- Temporary Impacts
- Permanent Impacts
- Vegetation Communities
 - Coyote Brush Scrub
 - Landscaped
 - Oak Woodland
 - Ruderal
- Jurisdictional Features
 - Developed
 - Lake bank
 - RSP- lined Channel
 - Riparian
 - Stormwater Ditch
 - Streambank
 - Streambed
 - Wetland





Route 68 Drainage improvements
PM 0.25 - PM 15.65
0518000083 / EA 05-1J880

Location 26A/B - PM 15.65

- Biological Study Area
- Temporary Impacts
- Permanent Impacts
- Vegetation Communities
 - Coyote Brush Scrub
 - Landscaped
 - Oak Woodland
 - Ruderal
- Jurisdictional Features
 - Developed
 - Lake bank
 - RSP- lined Channel
 - Riparian
 - Stormwater Ditch
 - Streambank
 - Streambed
 - Wetland



Attachment 1

ATTACHMENT 1

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

INCIDENTAL TAKE PERMIT NO. 2023-048-04-A1

PERMITTEE: Amy Millan, Senior Environmental Scientist,
Supervisor

PROJECT: State Route 68 Drainage Improvements Project

PURPOSE OF THE MMRP

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

OBLIGATIONS OF PERMITTEE

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

VERIFICATION OF COMPLIANCE, EFFECTIVENESS

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

TABLE OF MITIGATION MEASURES

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

ITP COA (Source)	Mitigation Measure	Implementation Schedule	Status / Date / Responsible Party(ies)
6.1	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.	Before the start of Covered Activities and any time a new Designated Representative is selected	
6.2	Designated Biologist(s) and Designated Monitor(s). Permittee shall submit to CDFW in writing the name, qualifications, business address, and contact information of the Designated Biologist(s) and Biological Monitor(s) using the Biologist Resume Form (Attachment 2) or another format containing the same information at least 30 days before starting Covered Activities. The Designated Monitors may assist the Designated Biologists in compliance monitoring under the direct supervision of the Designated Biologists and as specified in Condition of Approval 6.8 below. Permittee shall ensure that the Designated Biologist and Designated Monitor(s) are knowledgeable and experienced in the biology, natural history, collecting, and handling of the Covered Species. The 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.	Before the start of, and during Covered Activities as needed	

ITP COA (Source)	Mitigation Measure	Implementation Schedule	Status / Date / Responsible Party(ies)
6.3	Designated Biologist and Designated Monitor Authority. To ensure compliance with the Conditions of Approval of this ITP, the Designated Biologist(s) and Designated Monitor(s) shall immediately stop any activity that does not comply with this ITP and/or order any reasonable measure to avoid the unauthorized take of an individual of the Covered Species. Permittee shall provide unfettered access to the Project Site and otherwise facilitate the Designated Biologist(s) and Designated Monitor(s) in the performance of their duties. If a Designated Biologist or Designated Monitor is unable to comply with the ITP, then they shall notify the CDFW Representative immediately. Permittee shall not enter into any agreement or contract of any kind, including but not limited to non-disclosure agreements and confidentiality agreements, with its contractors and/or the Designated Biologist(s) and 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.	During Covered Activities	
6.4	Education Program. Permittee shall conduct an education program for all persons employed or otherwise working in the Project Area before performing any work. The program shall consist of a presentation from 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 for non-English speaking workers, and the same instruction shall be provided to any new workers before they are authorized to perform work in the Project Area. Upon completion of the program, employees shall sign a form stating they attended the program and understand all protection measures. This training shall be repeated at least once annually for long-term and/or permanent employees that will be conducting work in the Project Area.	Before the start of, and during Covered Activities	

ITP COA (Source)	Mitigation Measure	Implementation Schedule	Status / Date / Responsible Party(ies)
6.5	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.	During Covered Activities	
6.6	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.	Before the start of, and during Covered Activities	
6.7	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.	During Covered Activities	
6.8	Erosion Control Materials. Permittee shall prohibit use of erosion control materials potentially harmful to Covered Species and other species, such as monofilament netting (erosion control matting) or similar material, in potential Covered Species' habitat.	During Covered Activities	
6.9	Delineation of Property Boundaries. Before starting Covered Activities along each part of the route in active construction, Permittee shall clearly delineate the boundaries of the Project Area with fencing, stakes, or flags. Permittee shall restrict all Covered Activities to within the fenced, staked, or flagged areas. Permittee shall maintain all fencing, stakes, and flags until the completion of Covered Activities in that area.	Before the start of, and during Covered Activities	
6.10	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.	During Covered Activities	

ITP COA (Source)	Mitigation Measure	Implementation Schedule	Status / Date / Responsible Party(ies)
6.11	Project Access. Project-related personnel shall access the Project Area using existing routes, or routes identified in the Project Description, and shall not cross Covered Species' habitat outside of or en route to the Project Area. Permittee shall restrict Project-related vehicle traffic to established roads, staging, and parking areas. Permittee shall ensure that vehicle speeds do not exceed 20 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.	During Covered Activities	
6.12	Staging Areas. Permittee shall confine all Project-related parking, storage areas, laydown sites, equipment storage, and any other surface-disturbing activities to the Project Area using, to the extent possible, previously disturbed areas. Additionally, Permittee shall not use or cross Covered Species' habitat outside of the marked Project Area unless provided for as described in Project Access Condition of Approval (above) of this ITP.	During Covered Activities	
6.13	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.	During Covered Activities	
6.14	CDFW Access. Permittee shall provide CDFW staff with reasonable access to the Project, and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in this ITP.	During Covered Activities	
6.15	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.	During Covered Activities	
7.1	Notification Before Commencement. The Designated Representative shall notify CDFW at least 14 calendar days before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities.	Before the start of, and during Covered Activities	

ITP COA (Source)	Mitigation Measure	Implementation Schedule	Status / Date / Responsible Party(ies)
7.2	Notification of Non-compliance. The Designated Representative shall immediately notify CDFW if the Permittee is not in compliance with any Condition of Approval of this ITP, including but not limited to any actual or anticipated failure to implement measures within the time periods indicated in this ITP and/or the MMRP. The Designated Representative shall follow up within 24 hours with a written report to CDFW describing, in detail, any non-compliance with this ITP and suggested measures to remedy the situation.	During Covered Activities	
7.3	Pre-Activity Clearance Survey Reports. Prior to starting Covered Activities at each Work Area or Project location, Permittee shall prepare and submit to CDFW the results of pre-activity surveys and maps of burrows/crevices required by the Pre-Activity Clearance Surveys and Flag and Map Burrow/Crevices Conditions of Approval.	Before the start of, and during Covered Activities	
7.4	<p>Compliance Monitoring. The Designated Biologist shall be on-site for the duration of the Covered Activities until Burrow/Crevise Excavation Condition of Approval, Covered Species Exclusion Fencing Condition of Approval (unless full-time monitoring is used in place of exclusionary fencing as described below), and initial grading activities are complete, and during temporary exclusion fence removal, if applicable. Thereafter, a Designated Biologist or Designated Monitor shall conduct compliance inspections at least twice a week during all Covered Activities. During Covered Activities, at least one Designated Biologist shall be available to respond to the Project Area within one hour of being contacted to address Covered Species needs and any other issues that may arise during implementation of this ITP. Permittee may elect to maintain continual monitoring by the Designated Biologist, while Covered Activities occur, in place of temporary exclusion fence installation.</p> <p>The Designated Biologist(s) and Designated Monitor(s) shall conduct compliance inspections to: (1) minimize incidental take of the Covered Species; (2) prevent unlawful take of species; (3) check for compliance with all measures of this ITP; (4) 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. The Designated Representative, Designated Biologist(s), and Designated Monitor(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.</p> <p>7.5. Covered Species Mortality Reduction and Relocation</p>	During Covered Activities	

ITP COA (Source)	Mitigation Measure	Implementation Schedule	Status / Date / Responsible Party(ies)
7.5	<p>Covered Species Mortality Reduction and Relocation Plan. The Designated Biologist(s) shall prepare a Covered Species Mortality Reduction and Relocation Plan and submit it to CDFW for review and approval a minimum of 30 days prior to the beginning of Covered Activities. The Covered Species Mortality Reduction and Relocation Plan shall include, but not be limited to, a discussion and map of the portion of the Project Area which represents potential upland habitat; identification of the areas within both 1.3 miles and 1,844 feet of known or potential breeding habitat for Covered Species; detailed survey, capture, handling, and relocation methods; identification of relocation areas; required frequency and duration of compliance monitoring per the Compliance Monitoring Condition of Approval; and identification of a wildlife rehabilitation center or veterinary facility capable of treating injured animals and having specifically agreed to intake and treat injured animals for this Project. If applicable, the Covered Species Mortality Reduction and Relocation Plan shall include plans for exclusionary fencing including the type of fencing material and detailed design (including maps), installation methods, gate design and location, and inspection, maintenance, repair, and replacement methods and intervals, and in compliance with the Covered Species Exclusion Fencing and Exclusion Fencing Installation and Removal Conditions of Approval. Covered Activities may not proceed until the Covered Species Mortality Reduction and Relocation Plan is approved in writing by CDFW. Designated Monitor(s) are prohibited from capturing and handling the Covered Species unless specifically approved in writing by CDFW and under the direct supervision of the Designated Biologist(s). Any proposed changes to the CDFW approved Covered Species Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed Covered Species Mortality Reduction and Relocation Plan modifications.</p>	Before the start of, and during Covered Activities	

ITP COA (Source)	Mitigation Measure	Implementation Schedule	Status / Date / Responsible Party(ies)
7.6	Monthly Compliance Report. The Designated Representative, a Designated Biologist, or a Designated Monitor shall compile the observation and inspection records identified in Compliance Monitoring Condition of Approval into a Monthly Compliance Report and submit it to CDFW along with a copy of the MMRP table with notes showing the current implementation status of each mitigation measure. Monthly Compliance Reports to the CDFW offices listed in the Notices section of this ITP and via e-mail to CDFW's Regional Representative and Headquarters CESA Program by the 10th day of the following month. At the time of this ITP's approval, the CDFW Regional Representative is Mindy Trask (Mindy.Trask@wildlife.ca.gov) and Headquarters CESA Program email is CESA@wildlife.ca.gov . CDFW may at any time change 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.	During Covered Activities	
7.7	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. Each ASR shall include, at a minimum: (1) a summary of all Monthly Compliance Reports for that year identified in Monthly Compliance Report Condition of Approval; (2) a general description of the status of the Project Area and Covered Activities, including actual or projected completion dates, if known; (3) a copy of the table in the MMRP with notes showing the current implementation status of each mitigation measure; (4) an assessment of the effectiveness of each completed or partially completed mitigation measure in avoiding, minimizing and mitigating Project impacts; (5) all available information about Project-related incidental take of the Covered Species; (6) an accounting of the number of acres subject to both temporary and permanent disturbance, both for the prior calendar year, and a total since ITP issuance; and (7) information about other Project impacts on the Covered Species.	During Covered Activities	
7.8	California Natural Diversity Database Observations. The Designated Biologist(s) and Designated Monitor(s) shall submit all observations of Covered Species to CDFW's California Natural Diversity Database within 60 calendar days of the observation and shall include copies of the submitted forms with the next Monthly Compliance Report or ASR, whichever is submitted first relative to the observation.	During Covered Activities	

ITP COA (Source)	Mitigation Measure	Implementation Schedule	Status / Date / Responsible Party(ies)
7.9	Final Mitigation Report. No later than 45 days after completion of all mitigation measures, Permittee shall provide CDFW with a Final Mitigation Report. The Designated Biologist shall prepare the Final Mitigation Report which shall include, at a minimum: (1) a summary of all Monthly Compliance Reports and all ASRs; (2) a copy of the table in the MMRP with notes showing when each of the mitigation measures was implemented; (3) all available information about Project-related incidental take of the Covered Species; (4) information about other Project impacts on the Covered Species; (5) beginning and ending dates of Covered Activities; (6) an assessment of the effectiveness of this ITP's Conditions of Approval in minimizing and fully mitigating Project impacts of the taking on Covered Species; (7) recommendations on how mitigation measures might be changed to more effectively minimize take and mitigate the impacts of future projects on the Covered Species; and (8) any other pertinent information.	Following Covered Activities and completion of all mitigation measures	
7.10	Notification of Take or Injury. Permittee shall immediately notify the Designated Biologist(s) if a Covered Species is killed or injured by a Project-related activity, or if a Covered Species is otherwise found dead or injured within the vicinity of the Project. The Designated Biologist or Designated Representative shall provide initial notification to CDFW by calling the Regional Office at (559) 243-4005 and CDFW Regional Representative. The initial notification to CDFW shall include information regarding the location, species, and number of animals killed or injured and the ITP Number. Permittee shall adhere to the Covered Species Injury Condition of Approval, as applicable. Following initial notification, Permittee shall send CDFW a written report within two calendar days. The report shall include the date and time of the finding or incident, location of the animal or carcass, and if possible, provide a photograph, explanation as to cause of take or injury, proposed measures to minimize risks of additional mortality or injury, and any other pertinent information. If Covered Species is found deceased, the Designated Biologist(s) shall immediately collect, bag, and freeze the carcass and consult with the CDFW Designated Representative to determine if submittal of the carcass to a laboratory is warranted.	During Covered Activities	

ITP COA (Source)	Mitigation Measure	Implementation Schedule	Status / Date / Responsible Party(ies)
8.1	Pre-Activity Clearance Surveys. No more than 14 days prior to starting Covered Activities at each Work Area, the Designated Biologist(s) shall survey each Work Area for Covered Species individuals. Designated Monitor(s) may assist with pre-activity surveys when accompanied by Designated Biologist(s). Surveys shall be repeated if there has been a break in Covered Activities at any given Work Area of more than 30-days. These surveys shall provide 100 percent visual coverage (including burrow and crevice openings) of the Work Area and a 50-foot buffer zone around the Work Area. If any life stages (adults, metamorphs, eggs, or larvae) of Covered Species are found within a Work Area, the Designated Biologist shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan Condition of Approval. Permittee shall provide the survey results to CDFW as per the Pre-Activity Clearance Survey Reports Condition of Approval.	Before the start of, and during Covered Activities	
8.2	Flag and Map Burrows/Crevices. During Pre-Activity Clearance Survey and Reporting Condition of Approval, the Designated Biologist(s) shall flag and map the locations of all accessible animal burrows and crevices suitable for Covered Species occupancy within each the Work Area including a 50-foot buffer outside those areas to alert work crews to their presence. For the purposes of this ITP, "accessible" is defined as within the highway right-of-way or the Work Area and safe for workers to access. Specific Designated Monitor(s) may conduct burrow flagging upon written approval from CDFW. Accessible burrows and crevices located within the Work Area that are also within 1,844 feet of known or potential breeding habitat (includes seasonal ponds, stock or otherwise human-created and managed ponds, and potential pools in streams) shall be distinctively flagged and mapped for burrow/crevice excavation. The mapped locations of all animal burrows and crevices suitable for Covered Species occupancy shall be submitted with the Pre-Activity Clearance Survey Reports. An avoidance buffer of 50 feet or greater around animal burrows/crevices suitable for Covered Species occupancy shall be maintained, where feasible.	During Covered Activities	

ITP COA (Source)	Mitigation Measure	Implementation Schedule	Status / Date / Responsible Party(ies)
8.3	Burrow/Crevise Excavation. Prior to initiating Covered Activities within a Work Area, animal burrows and crevices identified and flagged as within 1,844 feet of known or potential breeding habitat during the Pre-Activity Clearance Survey and Reporting and Flag Burrows/Crevices Conditions of Approval, that are within the Work Area and cannot be avoided shall be fully excavated under the direct supervision of the Designated Biologist(s) based on the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. The Designated Biologist(s) shall relocate any live Covered Species discovered during burrow excavation in accordance with the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. Excavation shall occur no more than 14 days after the completion of the Pre-Activity Clearance Survey and Reporting Condition of Approval.	Before the start of, and during Covered Activities	
8.4	Covered Species Temporary Exclusion Fencing. Prior to initiation of Covered Activities and following surveying, flagging, and excavating burrows/crevices in accordance with Pre-Activity Clearance Survey and Reporting, Flag Burrow/Crevices, and Burrow/Crevise Excavation Conditions of Approval, Permittee shall install temporary exclusion fencing around the perimeter of each Work Area to prevent Covered Species from accessing the Work Area according to the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. Alternatively, full-time monitoring by the Designated Biologist and/or Designated Monitor shall occur during Covered Activities, according to the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. If used, the Covered Species temporary exclusion fence shall be buried a minimum of four inches below ground surface and shall be equipped with one-way exits to avoid entrapment of Covered Species and other amphibians or reptiles. Permittee shall also avoid small mammal burrows by a minimum of 50 feet during the installation of the exclusion fencing, as feasible. Installation of temporary exclusion fencing shall not proceed until a Covered Species Temporary Exclusion Fencing Plan has been approved in writing by CDFW.	Before the start of, and during Covered Activities	

ITP COA (Source)	Mitigation Measure	Implementation Schedule	Status / Date / Responsible Party(ies)
8.5	Exclusion Fencing Installation and Removal. If temporary exclusion fencing is used, it shall be installed no later than 48 hours after the burrow and crevice excavation/salvage work is completed and before clearing and grading. The Designated Biologist(s) shall accompany the temporary exclusion fence construction crew to ensure that the temporary exclusion fencing is installed as per the Covered Species Mortality Reduction and Relocation Plan and that Covered Species are not killed or injured during fence installation. Specific Designated Monitor(s) may provide monitoring during temporary exclusion fence installation and removal upon written approval from CDFW. The temporary exclusion fencing shall be supported sufficiently to maintain its integrity under all conditions such as wind and heavy rain for the duration of the Covered Activities. The Designated Biologist(s) or Designated Monitor(s) shall check the temporary exclusion fence at least once weekly during periods of inactivity to monitor for Covered Species that may need relocating according to the CDFW-approved Covered Species Mortality Reduction and Relocation Plan and to maintain/repair the fence as necessary to ensure its effectiveness. The temporary exclusion fence shall be removed immediately upon completion of Covered Activities, which shall be monitored by Designation Biologist(s) or approved Designated Monitor(s).	Before the start of, and during Covered Activities	
8.6	Precipitation. Permittee shall monitor the National Weather Service 72-hour forecast for the Project Area. If a 70 percent or greater chance of over 0.5 inch rainfall is predicted within 72 hours, or if rainfall commences, Permittee shall cease all Covered Activities in all portions of the Project Area where Burrow/Crevice Excavation and Covered Species Exclusion Fencing Conditions of Approval have not yet been completed or if temporary exclusionary fencing has not been erected around the Project Area according to the Covered Species Exclusion Fencing Condition of Approval. Work may re-commence 24 hours after the rain ceases and there is zero percent chance of precipitation in the 72-hour forecast. The Designated Biologist(s) and Designated Monitor(s) shall check the Project Area before Covered Activities resume search for Covered Species and Designated Monitor shall capture and relocate any that are discovered during the surveys according to the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. Covered Activities may continue during rainfall events if exclusion fencing has been installed in accordance with the CDFW-approved Covered Species Mortality Reduction and Relocation Plan.	Before the start of, and during Covered Activities	

ITP COA (Source)	Mitigation Measure	Implementation Schedule	Status / Date / Responsible Party(ies)
8.7	Fieldwork Code of Practice. To ensure that the Designated Biologist(s) does not convey disease between the Work Areas and areas outside the Project Area, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force Fieldwork Code of Practice (see Attachment 3) shall be always followed. The Designated Biologist may substitute a bleach solution (0.5 to 1.0 cup of bleach to 1.0 gallon of water) for the ethanol solution. The Designated Biologist(s) shall ensure that all traces of the disinfectant are removed before entering the next aquatic habitat.	During Covered Activities	
8.8	Covered Species Observations. During all Covered Activities within the Project Area, all workers shall inform the Designated Biologist(s) if a Covered Species is observed within or near the Project Area. All work in the vicinity of the Covered Species, which could injure or kill the animal, shall cease immediately until the Covered Species moves from the Project Area of its own accord or is relocated by the Designated Biologist(s) in accordance with the CDFW-approved Covered Species Mortality Reduction and Relocation Plan.	During Covered Activities	
8.9	Open Excavation Inspection. Workers shall inspect all open holes, sumps, and trenches within the Project Area at the beginning, middle, and end of each day for trapped Covered Species. To prevent inadvertent entrapment of Covered Species, all open trenches, holes, sumps, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope shall have an escape ramp of earth or a non-slip material with a less than 1:1 (45 degree) slope. The Designated Biologist(s) and Designated Monitor(s) shall thoroughly inspect all trenches, holes, sumps, and other excavations for Covered Species (or other wildlife) before they are backfilled. If any worker discovers that Covered Species have become trapped, Permittee shall cease all Project-related activities in the vicinity and notify the Designated Biologist(s) immediately. Project workers, the Designated Biologist(s) and Designated Monitor(s) shall provide the opportunity for the Covered Species to escape unimpeded out of the Work Area before allowing work to continue. Alternatively, if the Covered Species will not leave a given Work Area unimpeded, the Designated Biologist(s) shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan.	Before the start of, and during Covered	

ITP COA (Source)	Mitigation Measure	Implementation Schedule	Status / Date / Responsible Party(ies)
8.10	Materials, Vehicle and Equipment Inspection. Workers shall thoroughly inspect all vehicles, construction materials, and other equipment that are stored for one or more overnight periods for the Covered Species before the object is subsequently moved, buried, or capped. If a Covered Species is present, the worker shall stop work and notify the Designated Biologist(s), and wait for the Covered Species to move unimpeded out of the Work Area. Alternatively, if the Covered Species will not leave the Work Area unimpeded, the Designated Biologist(s) shall capture and relocate the Covered Species as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan.	Before the start of, and during Covered Activities	
8.11	Stockpiles. Permittee shall ensure that soil stockpiles are placed where soil shall not pass into potential Covered Species breeding habitat, or into any "Waters of the State," including streams that traverse the Project Area, in accordance with Fish and Game Code section 5650. Permittee shall appropriately protect stockpiles to prevent soil erosion.	Before the start of, and during Covered Activities	
8.12	Herbicide Use. Permittee shall not use herbicides at any time during Project Activities (including plant establishment) unless the Designated Biologist(s) or an approved Designated Monitor(s) surveys the application area and determines that Covered Species are not present. Permittee shall ensure that all herbicide use (mixing, application, and clean-up) is done by a licensed applicator in accordance with all applicable State, federal, and local regulations. Permittee shall only apply herbicide sprays via ground application when wind speed measures less than three miles per hour. Permittee shall ensure that great care is taken to avoid herbicide outside the boundaries of the Project Area. All herbicide sprays utilized within the Project Area shall contain a dye to prevent overspray.	Before the start of, and during Covered Activities	
8.13	Avoid Introduction of Herbicides into Waters. Permittee shall ensure herbicide mixing occurs within the Project Area where there is no potential of a spill reaching waters at and near the Project Area. Permittee shall ensure that any herbicide used where there is the possibility that the herbicide could come into direct contact with water is approved for use in an aquatic environment.	Before the start of, and during Covered Activities	

ITP COA (Source)	Mitigation Measure	Implementation Schedule	Status / Date / Responsible Party(ies)
8.14	Covered Species Injury. If a Covered Species is injured as a result of Project-related activities, the Designated Biologist(s) shall immediately take it to a CDFW approved wildlife rehabilitation or veterinary facility as per the CDFW-approved Covered Species Mortality Reduction and Relocation Plan. Permittee shall bear any costs associated with the care or treatment of such injured Covered Species. The Permittee shall notify CDFW of the injury to the Covered Species immediately by telephone and e-mail followed by a written incident report as described in Notification of Take or Injury Condition of Approval.	Before the start of, and during Covered Activities	
9.1	Covered Species Credits. Permittee shall purchase Covered Species credits to complete compensatory mitigation obligations. Permittee shall purchase 3.106 acres of California tiger salamander upland credits from a CDFW-approved mitigation or conservation bank prior to initiating Covered Activities and submit to CDFW a copy of the Bill of Sale and Payment Receipt or Credit Transfer Agreement for the purchase of Covered Species credits. Prior to purchase of Covered Species credits, Permittee shall obtain CDFW approval to ensure the mitigation or conservation bank is appropriate to compensate for the impacts of the Project.		

ITP COA (Source)	Mitigation Measure	Implementation Schedule	Status / Date / Responsible Party(ies)
9.2	<p>Habitat Restoration. Permittee shall restore, on-site, the approximate 1.255 acres of Covered Species habitat that will be temporarily disturbed (including long-term) during construction to pre-project or better conditions. At least 30 days prior to implementing restoration activities, the Permittee shall submit a Restoration Plan to CDFW for review and approval. The goal of restoration is to facilitate revegetation of temporary construction disturbance on-site, and shall ensure that the Restoration Plan is successfully implemented by the contractor. The Restoration Plan shall include detailed specifications for restoring all temporarily disturbed areas, such as seed mixes and application methods. The plan shall also indicate the best time of year for seeding to occur. Permittee shall seed all temporarily disturbed (including long term disturbance areas) with a weed-free seed mix using at least three species that are locally appropriate and native to the California central coast ecoregion. Up to two sterile non-native grass species may be added to the seed mix if that amount does not exceed 25 percent of the total seed mix by count. Permittee shall submit the proposed seed mixture to be used to CDFW for written approval prior to application. The seeding shall be completed as soon as possible after the completion of Covered Activities at each Work Area, but not later than November 15, or as otherwise approved in advance and in writing by CDFW.</p> <p>The Restoration Plan shall include a description of trees and shrubs removed, identify the location(s) and species for replacement plantings, and a plan for monitoring and maintenance to ensure 70 percent survival of required tree and shrub plantings for a minimum period of five consecutive years, including up to three consecutive years with supplemental irrigation, and a minimum of two years without such assistance, or as otherwise approved by CDFW. The Restoration Plan shall also include remedial actions that will be taken in the event that plantings are not successful. The Restoration Plan shall establish Year 0 (zero) as the year that plantings will occur. Year 0 shall not commence more than 12 months from the start of Covered Activities in each Work Area that will result in removal of vegetation. Replacement plantings shall be subject to a new five-year monitoring and reporting period to document the successful establishment of those plantings.</p>		

Attachment 2

Project Name:

LSA Agreement/ITP Number(s):



Department of Fish and Wildlife

BIOLOGIST RESUME COVER SHEET

SUBMIT EACH RESUME AS A SEPARATE DOCUMENT

Number of Resumes Included in Transmittal: _____

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

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



Department of Fish and Wildlife

BIOLOGIST RESUME FORM

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

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

SECTION I. NAME AND CONTACT INFORMATION

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

SECTION II. EDUCATION

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

SECTION III. ROLE(S) AND PERMIT REQUIREMENTS

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

SECTION IV. SPECIES AND RESOURCE EXPERIENCE – SUMMARY

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

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

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

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

SECTION V. SPECIES AND RESOURCE EXPERIENCE – DETAILS

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

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

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

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

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

⁷ CNDDDB is the abbreviation for California Natural Diversity Database.

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

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

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

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

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

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

Project Name:

LSA Agreement/ITP Number(s):

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

Attachment 3

Attachment 3

The Declining Amphibian Task Force Fieldwork Code of Practice

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

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

Attachment 4

Attachment 4

Amendment No. 1 with Track Changes Amended Incidental Take Permit No. 2081-2023-048-04

1. An Amended ITP Background section has been inserted preceding the Effective Date and Expiration section as follows:

Amended ITP³ Background:

ITP No. 2081-2023-048-04 was originally issued on June 11, 2025. On September 29, 2025, CDFW received a request from the Permittee for a major amendment (Amendment No. 1) to the original ITP and the corresponding fee payment. The request was to change the amount and type of Project impacts and corresponding compensatory mitigation due avoidance of breeding habitat for the California tiger salamander (*Ambystoma californiense*). Additionally, the Permittee and CDFW agreed to omit drainage system numbers and instead refer to Project locations by post mile to avoid potential confusion regarding specific Project location nomenclature.

CDFW finds that this Amendment is a Major Amendment, as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(5). Issuance of this Amendment will not increase the amount of take of the Covered Species compared to the Project as originally approved, nor will this Amendment increase other Project impacts on the Covered Species (i.e., "impacts of taking" as used in Fish and Game Code Section 2081, subd. (b)(2)). Issuance of this Amendment does not affect CDFW's previous determination that issuance of the ITP meets and is otherwise consistent with the permitting criteria set forth in Fish and Game Code section 2081, subdivisions (b) and (c).

CDFW now amends and reissues the ITP. This amended ITP includes all of the operative provisions as of the effective date of this Amended ITP. Attachment 4 to this amended ITP shows the specific red-line changes made to the ITP as a result of this Major Amendment No. 1.

³ When this incidental take permit and attachments refer to the "ITP", it means the "Amended ITP" (Amendment Nos. 1 through 3 unless the context dictates otherwise).

2. The Project Description of this ITP has been amended as follows:

The Project will improve seven culverts and modify lighting systems along SR 68. Existing culverts at ~~Project locations 19 (PMPMs 6.32), 20 (PM,, 9.05), 22A (PM,, 9.78), 23 (PM,, 10.29), 24 (PM,, 10.56), 25 (PM,, 13.84), and 26A/B (PM15.65)~~ (individually referred to as Work Areas and collectively referred to the Project Area) will be replaced. The Project also includes the installation of new drop inlets, flared end sections, concrete collars, and headwalls, the replacement of and placement of new rock slope protection (RSP), electrical improvements and utility relocation, removal and replacement of right-of-way fencing, equipment access and staging, vegetation trimming and removal, as well as temporary stream diversion and dewatering. The Project is expected to be completed over the course of three years, with work occurring approximately between May 1 and October 31 each year. Post construction, a 3-year plant establishment period will be implemented. The Project will involve approximately 115 working days. Construction activities will be completed at each Work Area within a single year

Culvert Work

Construction activities will primarily include removal and replacement of all or portions of the culvert pipes, and improvements to culvert inlets and outlets, including slope stabilization and backfilling. Culverts will be replaced using the cut and cover construction method at ~~Project locations 21, 22, 24, 25~~PMs 9.78, 10.56, 13.84, and ~~26A/B~~15.65, and a trenchless construction method will be used at ~~Project locations 19, 20~~PMs 6.32, 9., and ~~23~~10.29. The culverts at ~~Project locations 21, 22, 24, 25~~PMs 9.05, 9.78, 10.56, 13.84, and ~~26A/B~~15.65 will be replaced with culverts that are the same dimensions. At ~~Project location 19~~PM 6.32 the existing 24-inch diameter culvert will be replaced with a 36-inch diameter culvert. At ~~Project location 23~~PM 10.29, the existing 18-inch diameter culvert will be replaced with a 24-inch diameter culvert. ~~At Project locations 19, 20~~At PMs 6.32, 9.05, and ~~23~~10.29, the existing culverts will be abandoned in place and filled with clean sand, slurry cement, or a controlled low-strength material.

* * *

Electrical Improvements and Utility Relocation

Seven existing electrical cabinets and associated existing underground conduit systems will be replaced in the road shoulder on either side of the culverts at ~~Project location 26/B~~.PM 15.65. The cabinets and conduits will be connected to existing luminaires via open trenching. The trenching for conduit replacement will be up to 2.5 feet deep. The conduit replacement will occur within the same footprint as the culvert repair/replacement footprint. The seven electrical boxes will be replacing existing electrical boxes.

Equipment Access and Staging

Access areas and haul roads will be required for ~~Project locations 19, 20, 22A, 23, 24, 25, and 26A/B.~~ work at PMs 6.32, 9.05, 9.78, 10.29, 10.56, 13.84, and 15.65. The areas will be cleared of vegetation and regraded as necessary. New permanent, graded and graveled pullouts will be constructed at the roadside at ~~locations 19, 20~~ PMs 6.32, 9.05, and 2310.29 for long-term maintenance access. These areas are already disturbed and used as road pull-outs, so they may require only minor improvements. Equipment staging areas will be restricted to planned access and haul roads or existing paved or gravel pullouts.

Vegetation Management and Erosion Control

Trees, shrubs, and herbaceous vegetation will be cleared and grubbed around the culvert Work Areas, access/haul roads, and staging areas. A total of approximately 48 coast live oak (*Quercus agrifolia*) trees less than or equal to 24 inches diameter and breast height (DBH) are estimated to be removed at ~~Project locations 19, 20~~ PMs 6.32, 9.05, and 2310.29. A total of approximately 179 coast live oak trees will be replanted at and near these three locations. Replanting will be completed either immediately after culvert installation or after the culvert construction portion of the project. When needed, herbicide will be applied to assist in invasive upland plant species removal within the Work Areas. Herbicides that may be used include glyphosate, imazapyr, and triclopyr. Herbicide will be applied by a licensed applicator by spot spraying via a backpack or pump sprayer and/or by a cut and paint technique.

Stream Diversion and Dewatering

To isolate construction sites from flowing water, stream diversion and dewatering will likely be required at ~~Project locations 20, 22~~ PMs 9.05, 9.78, and 2410.56 where surface water is anticipated to be present late into the year. In-stream diversion will occur using a via coffer dams and diversion pipes, supplemented with dewatering by pump and screened hose to remove most surface water from the channel within the Work Areas. Cofferdams will be constructed with gravel bags, or other material, and will be situated as close to the culvert as practical to minimize impacts to each Work Area. Water will be pumped across the road through a covered hose or pipe to protect the water quality and returned to the channel immediately downstream of the Work Area.

3. The Impacts of the Taking on Covered Species section of this ITP has been amended as follows:

Project activities and their resulting impacts are expected to result in the incidental take of individuals of the Covered Species. The activities described above that are expected to result in incidental take of individuals of the Covered Species include replacement of culverts via cut and cover and trenchless construction; installation of drop inlets, flared end sections, concrete collars, headwalls, and RSP; replacing electrical systems;

construction of new permanent roadside pull-outs; equipment access and staging; vegetation trimming, removal and planting; and temporary stream diversion and dewatering (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 vehicle or equipment strikes during ingress and egress and hauling of materials, collapse or excavation of occupied burrows that results in crushing or suffocation of underground individuals during grading and compaction, entombment of individuals from deposition of stockpiled material or spoils over occupied burrows and during top soil, or soil compaction, grading activities, the capture or entrapment in holes or trenches, and excavation of burrow systems. Incidental take of Covered Species may also occur from the Covered Activities in the form of pursuit, catch, capture, or attempt to do so through entrapment within Covered Species exclusion fencing constructed around the Project Area or during capture and relocation of Covered Species out of harm's way as required by this ITP; and by loss of habitat. Incidental take of individuals may also occur from the Project's incremental contribution to cumulative impacts (indirect impacts) including stress resulting from noise and vibrations from construction activities, burrow excavation, and capture and relocation; long-term effects from exposure to chemical contamination from uncured concrete, concrete dust, drilling fluids, petroleum products, paint, and other construction chemicals; loss of burrowing habitat used for shelter, reproduction, and escape cover; displacement from preferred habitat; increased competition for food and space; introduction or spread of invasive species; changes in drainage patterns; and increased vulnerability to predation. Even though the proposed work is temporary, the effects could be longer-lasting if feeding or reproduction are impacted. The areas where authorized take of the Covered Species is expected to occur include Project locations 19, 20, 22A, 23, 24, 25, 26A/BPMs 6.32, 9.05, 9.75, 10.29, 10.56, 13.84, and 15.65 (Collectively, the Project Area).

The Project is expected to cause the permanent loss of approximately 0.09 acre of upland habitat ~~and approximately 0.0003 acre of breeding habitat~~ for the Covered Species. Other habitat impacts will include; the long-term loss of approximately 0.76 acre of upland habitat for the Covered Species due to tree and shrub removal; and the temporary loss of approximately 0.47 acre of upland habitat, ~~and 0.023 acre of breeding habitat~~ for the Covered Species. Temporary habitat impacts are from ground disturbance associated with constructing features, access, and staging. Temporary impacts are expected to be less than one year between initial disturbance and restoration to pre-construction conditions, while long-term impacts are expected to take eight or more years to restore species habitat to pre-construction conditions.

4. Conditions of Approval 7.6 has been amended as follows:

- 7.6. Monthly Compliance Report.** The Designated Representative, a Designated Biologist, or a Designated Monitor shall compile the observation and inspection records identified in Compliance Monitoring Condition of Approval into a Monthly Compliance Report and submit it to CDFW along with a copy of the MMRP table with notes showing the current implementation status of each

mitigation measure. Monthly Compliance Reports to the CDFW offices listed in the Notices section of this ITP and via e-mail to CDFW's Regional Representative and Headquarters CESA Program by the 10th day of the following month. At the time of this ITP's approval, the CDFW Regional Representative is ~~Michaela Robbins~~ Mindy Trask (~~michaela.robbins@wildlife.ca.gov~~ Mary.Trask@wildlife.ca.gov) and Headquarters CESA Program email is CESA@wildlife.ca.gov. CDFW may at any time change 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.

5. Conditions of Approval 9.1 has been amended as follows:

- 9.1. Covered Species Credits.** Permittee shall purchase Covered Species credits to complete compensatory mitigation obligations. Permittee shall purchase 3. ~~153 acres of Covered Species credits, specifically including 3.~~ 106 acres ~~identified as of~~ California tiger salamander upland credits ~~and 0.047 acre identified as California tiger salamander breeding credits~~ from a CDFW-approved mitigation or conservation bank prior to initiating Covered Activities and submit to CDFW a copy of the Bill of Sale and Payment Receipt or Credit Transfer Agreement for the purchase of Covered Species credits. 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..

6. The Notices section of this ITP has been amended as follows:

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 (2081-2023-048-~~R404-A1~~) in a cover letter and on any other associated documents

* * *

~~Michaela Robbins~~
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 San Luis Obispo, California 93401
 Telephone (559) ~~977-0140939-0282~~
~~michaela.robbins~~ Mary.Trask@wildlife.ca.gov

7. The Findings Pursuant to CESA section of this ITP has been amended as follows:

* * *

(2) Impacts of the taking on Covered Species will be minimized and fully mitigated through the implementation of measures required by this ITP and as described in the MMRP. Measures include: (1) permanent habitat protection; (2) establishment of avoidance zones; (3) worker education; and (4) Monthly and Annual Compliance Reports. CDFW evaluated factors including an assessment of the importance of the habitat in the Project Area, the extent to which the Covered Activities will impact the habitat, and CDFW's estimate of the acreage required to provide for adequate compensation. Based on this evaluation, CDFW determined that the protection and management in perpetuity of 3.58106 acres of compensatory habitat that is contiguous with other protected Covered Species habitat and/or is of higher quality than the habitat being destroyed by the Project, along with the minimization, monitoring, reporting, and funding requirements of this ITP minimizes and fully mitigates the impacts of the taking caused by the Project;

* * *

8. The Attachments section of this ITP has been amended as follows:

FIGURE 1	Project Location Map
FIGURE 2	Project Impact Maps
ATTACHMENT 1	Mitigation Monitoring and Reporting Program
ATTACHMENT 2	Biologist Resume Form
ATTACHMENT 3	Declining Amphibian Task Force Fieldwork Code Of <u>of</u> Practice
<u>ATTACHMENT 4</u>	<u>Amendment 1 with Track Changes</u>