

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



**AMENDMENT NO. 1
(A Minor Amendment)
California Endangered Species Act
Incidental Take Permit No. 2081-2021-019-03
California Department of Transportation, District 4
Interstate 680 Southbound Express Lane Project
in Alameda and Contra Costa County**

INTRODUCTION

On October 4, 2021, the California Department of Fish and Wildlife (CDFW) issued Incidental Take Permit No. 2081-2021-019-03 (ITP) to California Department of Transportation (Caltrans) (Permittee), authorizing take of California tiger salamander (*Ambystoma californiense*) and Alameda whipsnake (*Masticophis lateralis euryxanthus*) (also known as Alameda striped racer (*Coluber lateralis euryxanthus*)) (collectively, the Covered Species) associated with and incidental to the Interstate 680 Southbound Express Lane Project in Alameda County, California (Project). The Project described in the ITP as originally issued by CDFW includes improvements in the median for southbound transportation facilities and a future northbound HOV/express lane, as well as southbound pavement rehabilitation within the Project limits. The Project will also install electronic tolling equipment and signage, widening/reconstruction of pavement in the median to accommodate the HOV/express lane, rehabilitation of existing pavement and new and replacement concrete barriers, retaining walls, and guard rails. In issuing the ITP, CDFW found, among other things, that Permittee's compliance with the Conditions of Approval of the ITP would fully mitigate Project impacts of the taking on the Covered Species and that issuance of the ITP would not jeopardize the continued existence of the Covered Species.

On November 14, 2025, Caltrans requested an amendment to Incidental Take Permit No. 2081-2021-019-03. Minor Amendment No. 1 request consists of an extension of the term of the ITP from December 31, 2025 to December 31, 2029, to accommodate on-site tree planting in 2026 and related maintenance during the three-year plant establishment period. No additional impacts to habitat for covered species (Alameda whipsnake and California tiger salamander) will occur.

This Minor Amendment No. 1 (Amendment) makes the following changes to the existing ITP:

First, this Amendment shall authorize to take the Covered Species shall expire on December 31, 2029.

AMENDMENT

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

1. The first paragraph in ITP, "Effective Date and Expiration Date of this ITP", shall be amended to read:

~~This ITP shall be executed in duplicate original form and shall become effective once a duplicate original is acknowledged by signature of the Permittee on the last page of this ITP and returned to CDFW's Habitat Conservation Planning Branch at the address listed in the Notices section of this ITP~~ ***is effective as of the date signed by CDFW below. Unless renewed by CDFW, this ITP's authorization to take the Covered Species shall expire on December 31, 2025December 31, 2029.***

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

FINDINGS

Issuance of this Amendment will not increase the amount of take of the Covered Species compared to the Project as originally approved, nor will this Amendment increase other Project impacts on the Covered Species (i.e., "impacts of taking" as used in Fish and Game Code Section 2081, subd. (b)(2)).

Discussion: This Amendment makes one specific change to the ITP as originally issued. CDFW has determined the extension of the term of the ITP to December 31, 2029 to accommodate on-site tree planting in 2026 and related maintenance during the three-year plant establishment period will not increase the amount of take or the severity of other impacts of the taking on the Covered Species. Given the circumstances of this Project, CDFW believes that this change to the Project or Conditions of the ITP described in this Amendment will not increase impacts to the Covered Species.

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

Discussion: CDFW determined on October 4, 2021, that the Project, as approved, met the standards for issuance of an ITP under CESA. This determination included findings that, among other things, the impacts of the taking would be minimized and fully mitigated and that the Project would not jeopardize the continued existence of the Covered Species. Those findings are unchanged with respect to this Amendment because the Project and ITP as amended will have no effect on the amount or severity of

Project impacts on the Covered Species. Permittee's continued adherence to and implementation of the avoidance and minimization measures set forth in the ITP's Conditions of Approval and MMRP will minimize and fully mitigate impacts of the taking on the Covered Species.

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

Discussion: CDFW issued the ITP on October 4, 2021, as a responsible agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) After, among other things, considering the SR-84 Expressway Widening and SR-84/I-680 Interchange Improvements Project Rehabilitation Project Mitigated Negative Declaration (SCH No. 2020050579) dated May 2020 that the California Department of Transportation adopted for the Interstate 680 Express Lanes from State Route 84 to Alcosta Boulevard Project on November 10, 2020 prepared by the California Department of Transportation. as the lead agency for the Project. As explained in the findings below, CDFW finds for purposes of CESA that this Amendment is a minor change to the original ITP. CDFW finds for the same reasons under CEQA that approval of the Amendment will not result in and does not have the potential to create any new significant or substantially more severe environmental effects than previously analyzed and disclosed by California Department of Transportation during its lead agency review of the Project, particularly with respect to the impacts authorized by CDFW pursuant to the ITP as amended. As a result, CDFW finds that no additional subsequent or supplemental environmental review is required by CEQA as part of CDFW's approval of this Amendment.

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

Discussion: This Amendment determined the extension of the term of the ITP to December 31, 2029 to accommodate on-site tree planting in 2026 and related maintenance during the three-year plant establishment period will not increase the amount of take or the severity of other impacts of the taking of the Covered Species. These changes to the ITP will not: (1) increase the level of take or other Project impacts on Covered Species previously analyzed and authorized by the ITP, (2) affect Permittee's substantive mitigation obligations under the ITP, (3) require further environmental review under CEQA, or (4) increase temporal impacts on the Covered Species. Therefore, this Amendment will not significantly modify the scope or nature of the permitted Project or activity, or the minimization, mitigation, or monitoring measures in the ITP. CDFW has determined that the change to the ITP constitutes a Minor

Amendment as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(4).

ISSUED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

ON 12/31/2025.

DocuSigned by:

Erin Chappell

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Erin Chappell
Regional Manager
Bay Delta Region

Minor Amendment No. 1
Incidental Take Permit 2081-2021-019-03
CALIFORNIA DEPARTMENT OF TRANSPORTATION
INTERSTATE 680 EXPRESS LANES FROM STATE ROUTE 84 TO ALCOSTA BLVD. PROJECT