



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

California Endangered Species Act
Amended Incidental Take Permit No. 2081-2023-046-04
(Amendment No. 1)

LINE 85 MILE POST 55.91 DEEP WELL ANODE INSTALL PROJECT

I. Authority:

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

Permittee:	Southern California Gas Company
Principal Officer:	Pourya Arefi, Project Manager Parefi1@socalgas.com
Contact Person:	Par Singhaseni, (310) 980-9851 psinghas@socalgas.com
Mailing Address:	9400 Oakdale Avenue Chatsworth, California 91311

II. Amended ITP³ Background:

On July 10, 2025, CDFW issued the original ITP No. 2081-2023-046-04 to Southern California Gas Company (Permittee), authorizing take of giant kangaroo rat (*Dipodomys ingens*), San Joaquin antelope squirrel (*Ammospermophilus nelsoni*), and San Joaquin kit fox (*Vulpes macrotis mutica*) (Covered Species) associated with and incidental to the Line 85 Mile Post 55.91 Deep Well Anode Install Project in Kern County, California (Project). The Project as described in the ITP as originally issued by CDFW included drilling new 8-inch diameter anode well to a depth of approximately 500 feet, installing associated wires within the well, capping and abandoning the existing anode well, installing and connecting the new anode wire conduits and structure wires, installing a well vent pipe, connecting electrical wires to the pipeline, and replacing the Electronic Test Station and aboveground fink head within a 0.5-acre Project Area.

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” unless the context dictates otherwise.

On December 23, 2025, CDFW received a request from the Permittee for a minor amendment to the ITP and the corresponding fee payment. The request includes extending the expiration date for an additional 12 months, extending the timeline to complete the HM Lands requirement by an additional 12 months, and extending the timeline for submitting the security. Due to Permittee's scheduling conflicts with finalizing a Habitat Conservation Plan with the United State Fish and Wildlife Service, this work is now anticipated to begin in June 2026. CDFW finds that this Amendment (Amendment No. 1) is a Minor Amendment, as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(4). Issuance of Amendment No. 1 will not increase the amount of take of the Covered Species compared to the Project as originally approved, nor will Amendment No. 1 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 Amendment No. 1 will 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 reissues this ITP including the revised provisions in Amendment No. 1 (collectively, the Amended ITP). The Amended ITP includes all the operative provisions as of the issue 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 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, 2026**.

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 Final Mitigation Report Condition of Approval of this ITP.

IV. Project Location:

The Line 85 Mile Post (MP) 55.91 Deep Well Anode Install Project (Project) is located in the southern San Joaquin Valley approximately 3.5 miles northeast of the community of McKittrick in Kern County, California (Figure 1). The Project is specifically located on the northwest side of State Route (SR) 58 within the West Elk Hills United States Geological Survey 7.5-minute topographic quadrangle map in Township 30 South, Range 22 East, and Section 3, Mount Diablo Base and Meridian. The approximate center of the site is located at latitude 35.34946° North and longitude -119.60254° West (Figure 2).

V. Project Description:

The purpose of the Project is to distribute cathodic protection (CP) current to protect the integrity of the existing pipeline by controlling the corrosion of the metal surface by connecting it to a metal that is more easily corroded to act as the anode of the electrochemical cell. The Project will ensure this pipeline is in compliance with federal and state pipeline safety regulations. Natural gas pipeline maintenance is required by the

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California Public Utilities Commission (CPUC) General Order 112 E, which incorporates the U.S. Department of Transportation (DOT) regulations in the Code of Federal Regulations (CFR), Title 49, Part 192, Transportation of Natural and Other Gas by Pipeline, as well as the California Department of Water Resources (DWR) California Well Standards Bulletins 74-81 and 74-90, to ensure a safe and constant supply of natural gas to customers.

The Project involves drilling an anode well and installing twenty 3-inch diameter anodes and associated wires within the well. The Project will include vegetation removal and drilling a new 8-inch diameter anode well to a depth of approximately 500 feet using a truck-mounted mud and rotary drill rig. Following the drilling of the new well, the existing anode well will be drilled out, capped with slurry at ground level and abandoned in place at this location. A 1-foot wide by 2-foot deep by 400-foot long trench will be excavated from the new well to the pipeline to install the new anode wire conduits and structure wires and connect to the pipeline. In addition to the anode wire conduits, a 2-inch diameter polyvinyl chloride well vent pipe will be installed. The pipeline will be exposed by excavating a 10-foot wide by 10-foot long by 5-foot deep bellhole to connect the electrical wires to the pipeline. Approximately 50 cubic yards of excavated soil will be stockpiled adjacent to the trench and bellhole.

A new Electronic Test Station (ETS) will be replaced in kind. The ETS is a 3-inch HDPE pipe that is perpendicular to the pipeline and extends 2 feet above ground at the location of the pipeline at the western portion of the work area, approximately 400 feet from the anode well location. Cathodic protection equipment will also be installed on a customer-owned electrical pole. This includes an electric meter, safety disconnect, rectifier, Remote Monitoring Unit (RMU), anode junction box, associated conduits, wiring, and ground connection. An aboveground fink head for tracer wires, a 3-inch HDPE pipe that is perpendicular to the pipeline and extends 2 feet above ground, will be installed approximately two feet from the customer-owned pole. The trench will be backfilled with either the native excavated soil or clean fill as needed, returning the temporary disturbance area to pre-project condition. Unused stockpiled soil will be hauled offsite for disposal.

Access to the Project will be from existing paved and dirt access roads off SR 58. These existing roads will not require grading or improvements. Staging for vehicles, equipment, and materials will occur within the defined workspace (Figure 2). Equipment to be used includes a water tanker, mud pit, drill rig, water truck, vacuum tanker, utility trucks, excavator, crew trucks, portable restrooms, and hand tools.

In total, the Project will occur within an area of approximately 22,000 square feet (0.50 acre), of which approximately 15,246 square feet (0.35 acre) is annual grassland and approximately 6,534 square feet (0.15 acre) is existing, compacted gravel access roads. The Project activities are anticipated to last approximately 30 days from mobilization to completion.

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

This ITP covers the following species:

<u>Name</u>	<u>CESA Status⁴</u>
1. Giant kangaroo rat (<i>Dipodomys ingens</i> , GKR)	Endangered ⁵
2. San Joaquin antelope squirrel (<i>Ammospermophilus nelsoni</i> , SJAS)	Threatened ⁶
3. San Joaquin kit fox (<i>Vulpes macrotis mutica</i> , SJKF)	Threatened ⁷

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

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 expected to result in incidental take of individuals of the Covered Species include: clearing; grubbing; removing vegetation; excavating/trenching; stockpiling soil; drilling anode well; installing anode wire conduits and structure wires; installing well vent pipe; connecting electrical wires to pipeline; replacing the ETS; installing cathodic protection materials and fink head; reburying pipeline; compacting soil; heavy equipment operation; materials and equipment laydown and storage; transporting construction materials and other Project-related traffic; site recontouring; other activities described in the Project Description section of this ITP; and any salvage of Covered Species (Covered Activities).

Incidental take of individuals of the Covered Species in the form of mortality (“kill”) may occur as a result of Covered Activities such as burrow collapse that results in crushing or suffocation of underground individuals during vegetation removal, grubbing, excavation, and compaction; entombment of individuals from deposition of stockpiled material, or spoils over occupied burrows; entrapment and burial within uncovered excavations; crushing by equipment; corralling/capturing Covered Species into a confined area with no escape; vehicle/equipment strikes from Project-related traffic; and noise and ground vibration that could cause individuals to leave burrow or dens at inappropriate times increasing stress, overheating, and exposure to predation. Incidental take of individuals of the Covered Species in the form of pursue, catch, capture may also occur from the Covered Activities through entrapment in trenches and excavations, uncovering Covered Species through the excavation of burrow systems, by corralling Covered Species into a confined area when barrier fencing is constructed around the Project Area, when individuals of the Covered Species are relocated out of harm’s way, and with implementation of other take minimization measures as required by this ITP. The areas where authorized take of the Covered Species

⁴Under 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. (a)(6)(C).

⁶See *Id.*, subd. (b)(6)(B).

⁷See *Id.*, subd. (b)(6)(E).

is expected to occur are the anode well workspace, trenching workspace, staging area, parking area, and access roads (collectively, the Project Area).

The Project is expected to cause the temporary loss of 0.35 acre that provides foraging, dispersal, potential breeding, and refugia habitat for the Covered Species. Covered Species may disperse across the approximately 0.15-acre hard, compacted soil areas and gravel access roads, which may be disrupted while Project activities are occurring, but these areas do not provide other habitat values for the Covered Species. Authorized take of the Covered Species is expected to occur throughout the entire Project Area. Impacts of the authorized taking also include adverse impacts to the Covered Species related to temporal losses, increased habitat fragmentation and edge effects, and the Project's incremental contribution to cumulative impacts (indirect impacts). These impacts include: stress resulting from noise and vibrations from ground disturbance, equipment operation, and traffic; stress resulting from capture and relocation; increased exposure or stress from disorientation; loss or decline of habitat resulting from introduction or spread of invasive species; long-term effects due to displacement from preferred habitat; loss of foraging habitat/food supply through changes in composition of plant resources or prey abundance (starvation); changes in drainage patterns that favor different vegetative growth; loss of soil moisture; increased soil compaction; exposure to increased pollution, contaminants, and hazardous materials (herbicides, pesticides, vehicle and equipment fuels and fluids); exposure to pathogens through introduction of contaminated water; exposure to fugitive dust; visual disturbance; displacement into less preferred habitat; increased competition for food and space; loss of burrows, dens, and/or microhabitats used for shelter, reproduction, and escape cover; long-term effects due to barriers and increased travel distance to foraging and breeding habitat (decreased reproductive output, energetic expenses, exposure to predation and elements); increased human activity which could result in a reduction in prey abundance and/or availability; and increased vulnerability to disease and predation.

Long-term effects from noise and vibration could cause physiological and/or behavioral disruptions that may interfere with breeding, result in den or burrow abandonment occupied by dependent young, and a loss of fitness in dependent young resulting from interruptions to feeding schedules, due to impaired or interrupted foraging and nesting behavior and because forage acquired further away from the nest is more energetically expensive for parents acquiring food for their dependent young. Individuals displaced due to habitat loss and degradation may be unable to survive in adjacent areas if these areas are at carrying capacity or are unsuitable for colonization.

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

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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. 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.
- 3. General Provisions:**
 - 3.1. 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.
 - 3.2. Designated Biologist(s) and Designated Monitor(s).** Permittee shall submit to CDFW in writing the name, qualifications, business address, contact information, and references with contact information of Designated Biologist(s) and Designated Monitor(s) using the Biologist Resume Example (Attachment 2) or another format containing the same information. Permittee shall review qualifications before submission and ensure that the Designated Biologist(s) and Designated Monitor(s) are knowledgeable and experienced in Covered Species' biology and natural history. Permittee will also ensure the Designated Biologist's experience with: collecting, handling, and excavating burrows to minimize mortality of GKR and/or SJAS; monitoring, blocking, evicting, and excavating dens being actively used by SJKF; and monitoring construction activities following the Conditions of Approval of an ITP for the Covered Species.

CDFW may approve Designated Biologist(s) for one, some, or all Covered Species in this ITP. For example, CDFW may approve a Designated Biologist to implement

all Conditions of Approval for GKR and SJAS, approve a Designated Biologist to implement all Conditions of Approval for SJKF only, or approve a Designated Biologist to implement all Conditions of Approval for all Covered Species in this ITP. CDFW may approve Designated Monitor(s) not meeting the qualifications of a Designated Biologist to assist in compliance monitoring and/or implementation of Conditions of Approval as specified by CDFW. Designated Monitor responsibilities shall be restricted to specific Conditions of Approval, specified by the Permittee or Designated Representative at the time their qualifications are submitted for review. Designated Monitor(s) and their specific activities shall be approved in advance and in writing by CDFW.

Designated Biologist(s) and Designated Monitor(s) shall be responsible for monitoring Covered Activities to help minimize and fully mitigate or avoid the incidental take of individual Covered Species and to minimize disturbance of Covered Species' habitat. Permittee shall obtain CDFW approval of the Designated Biologist(s) and Designated Monitor(s) in writing before starting Covered Activities and shall also obtain approval in advance, in writing, if the Designated Biologist(s) or Designated Monitor(s) must be changed.

- 3.3.** Designated Biologist(s)/Designated Monitor(s) Authority. To ensure compliance with the Conditions of Approval of this ITP, the Designated Biologist(s)/Designated Monitor(s) shall 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)/Designated Monitor(s) in the performance of his/her duties. If the Designated Biologist(s)/Designated Monitor(s) are unable to comply with the ITP, then the Designated Biologist(s)/Designated Monitor(s) shall notify the CDFW Representative immediately. Permittee shall not enter into any agreement or contract of any kind, including but not limited to non-disclosure agreements and confidentiality agreements, with its contractors and/or the Designated Biologist(s)/Designated Monitor(s) that prohibit or impede open communication with CDFW, including but not limited to providing CDFW staff with the results of any surveys, reports, or studies or notifying CDFW of any non-compliance or take. Failure to notify CDFW of any non-compliance or take or injury of a Covered Species as a result of such agreement or contract may result in CDFW taking actions to prevent or remedy a violation of this ITP.
- 3.4.** Education Program. Permittee shall conduct an education program for all persons employed or otherwise working in the Project Area before they can perform any work. The program shall consist of a presentation from the Designated Biologist that includes a discussion of the biology and general behavior of the Covered Species, information about the distribution and habitat needs of the Covered Species, sensitivity of the Covered Species to human activities, its status pursuant

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to CESA including legal protection, recovery efforts, penalties for violations, and Project-specific protective measures described in this ITP. Permittee shall prepare and distribute wallet-sized cards or a fact sheet handout containing this information for workers to carry in the Project Area. Permittee shall provide interpretation and translation for non-English speaking workers, and the same instruction shall be provided to any new workers before they are authorized to perform work in the Project Area. Upon completion of the program, employees shall sign a form stating they attended the program and understand all protection measures. Permittee shall provide CDFW with a copy of all education program materials before starting Covered Activities and copies of the signed acknowledgment forms as described in Condition of Approval Weekly Compliance Reports.

- 3.5.** 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.
- 3.6.** 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.
- 3.7.** 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 use the minimum amount of water needed and shall not allow water to form puddles.
- 3.8.** Erosion Control Materials. Permittee shall prohibit the use of any plastic-based erosion control materials or materials that can be potentially harmful to Covered Species and other species, such as monofilament netting (erosion control matting) or similar material, in potential Covered Species' habitat.
- 3.9.** Dogs. Permittee shall prohibit domestic dogs from the Project Area and site access routes during Covered Activities, except those in the possession of authorized security personnel or local, State, or federal law enforcement officials.
- 3.10.** Fire Prevention. Permittee shall implement fire prevention measures during Covered Activities including, but not limited to: (1) equipping all motorized vehicles with spark arrestors when working in designated State Responsibility Areas;

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(2) ensuring water-filled backpack pumps, shovels, shields, and fire-resistant mats and/or windscreens are available on site during grinding and welding operations; (3) prohibiting welding operations during “red flag” conditions as determined by the California Department of Forestry and Fire Protection; (4) equipping all fuel trucks with an appropriate fire extinguisher; and (5) ensuring that flammable materials are cleared from parking and storage areas. Personnel shall be trained regarding the fire hazards for wildlife as part of the worker education program described above.

- 3.11. Delineation of Property Boundaries.** Before starting Covered Activities, Permittee shall clearly delineate the boundaries of the Project Area where the ground- or vegetation-disturbing Covered Activities will occur with fencing, stakes, or flags along any part of the route in active construction. Permittee shall restrict all Covered Activities to within the fenced, staked, or flagged Project Area. Permittee shall maintain all fencing, stakes, and flags until the completion of Covered Activities in the Project Area and remove, and properly dispose of, all delineation materials immediately upon completion.
- 3.12. Delineation of Habitat.** Permittee shall clearly delineate habitat of the Covered Species within the Project Area with posted signs, posting stakes, flags, and/or rope or cord, and place fencing as necessary to minimize the disturbance of Covered Species’ habitat. Permittee shall maintain all signs, stakes, flags, rope or cord, and fencing until the completion of Covered Activities in the Project Area and remove, and properly dispose of, all habitat delineation materials immediately upon completion.
- 3.13. Project Access.** Project-related personnel shall access the Project Area using existing routes and shall not cross Covered Species’ habitat outside of or en route to the Project Area. Permittee shall restrict Project-related vehicle and equipment ingress and egress to established roads, staging, and parking areas. Permittee shall ensure that vehicle speeds do not exceed 15 miles per hour to avoid Covered Species on or traversing the roads. If Permittee determines construction of routes for travel are necessary outside of the Project Area, the Designated Representative shall contact CDFW for written approval before carrying out such an activity. CDFW may require an amendment to this ITP, among other reasons, if additional take of Covered Species will occur as a result of the Project modification.
- 3.14. Staging Areas.** Permittee shall confine all Project-related parking, storage areas, laydown sites, equipment storage, and any other surface-disturbing activities to previously disturbed areas within the Project Area to the greatest extent possible, except as described in the Project Description section of this ITP. Permittee shall not use or cross Covered Species’ habitat outside of the marked Project Area unless provided for as described in Condition of Approval Project Access.

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- 3.15. Hazardous Waste. Permittee shall immediately stop and, pursuant to pertinent state and federal statutes and regulations, arrange for repair and clean up by qualified individuals of any fuel or hazardous waste leaks or spills at the time of occurrence, or as soon as it is safe to do so. Permittee shall exclude the storage and handling of hazardous materials from the Project Area and shall properly contain and dispose of any unused or leftover hazardous products off site.
- 3.16. CDFW Access. Permittee shall provide CDFW staff with reasonable access to the Project and mitigation lands under Permittee control and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in this ITP.
- 3.17. Refuse Removal. Upon completion of Covered Activities, Permittee shall remove from the Project Area and properly dispose of all temporary fill and construction refuse, including, but not limited to, broken equipment parts, wrapping material, cords, cables, wire, rope, strapping, twine, buckets, metal or plastic containers, and boxes.
- 3.18. Pesticide Prohibition. Permittees shall not use and shall prohibit the use of pesticides including but not limited to rodenticides, herbicides, and insecticides within the Project Area without prior written approval from CDFW. This also prohibits the use of any second-generation anticoagulant rodenticide (brodifacoum, bromadiolone, difethialone, and difenacoum) and any first-generation anticoagulant rodenticide (diphacinone, chlorophacinone, and warfarin) in the Project Area.

4. Monitoring, Notification and Reporting Provisions:

- 4.1. Notification Before Commencement. The Designated Representative shall notify CDFW before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities.
- 4.2. Notification of Non-compliance. The Designated Representative or Designated Biologist shall notify CDFW by phone or email within 4 hours of the discovery if the Permittee is not in compliance with any Condition of Approval of this ITP, including but not limited to any actual or anticipated failure to implement measures within the time periods indicated in this ITP and/or the MMRP. The Designated Representative or Designated Biologist shall submit a written report to CDFW within 24 hours of the initial notification describing any non-compliance with this ITP in detail and suggested measures to remedy the situation.
- 4.3. Geographic Information Systems Data Files. Within 10 days of the issuance of this ITP, the Permittee shall provide CDFW with Geographic Information Systems (GIS) data files for the temporary and/or permanent habitat impact areas authorized under this ITP for each Covered Species. If more than one Covered Species

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occurs within the same area, the Permittee shall provide a separate set of GIS data files for each species. If habitat for a Covered Species will be both temporarily and permanently impacted, the Permittee shall also provide a separate set of GIS data files for each impact type for each species. The Permittee shall also provide any additional requested GIS data files for the Project or related Covered Species features within 30 days of CDFW's request. All GIS data files shall be provided in a format acceptable to CDFW.

4.4. Compliance Monitoring. The Designated Biologist shall be onsite daily for the duration of the day to monitor compliance when Covered Activities occur. If Covered Activities occur simultaneously in more than one Work Area, a Designated Biologist shall be present on site at each Work Area to conduct compliance inspections. The Designated Biologist shall conduct compliance inspections to:

- (1) minimize incidental take of the Covered Species;
- (2) prevent unlawful take of species;
- (3) check for compliance with all measures of this ITP;
- (4) check all exclusion zones; and
- (5) ensure that signs, stakes, and fencing are intact, and that Covered Activities are only occurring in the Project Area.

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

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

4.5. Record of Covered Species Relocated. The Designated Biologist shall maintain a record of all Covered Species handled and observed. This information shall include for each animal: (1) the locations (Global Positioning System (GPS) coordinates

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and maps) and time of capture and/or observation as well as release; (2) sex; (3) approximate age (adult/juvenile) and reproductive condition; (4) weight; (5) general condition and health, noting all visible conditions including gait and behavior, diarrhea, emaciation, salivation, hair loss, ectoparasites, and injuries; and (6) ambient temperature when handled and released. The Designated Biologist shall prepare a Relocation Summary and include it in the Weekly Compliance Report described below. The Relocation Summary required by Condition of Approval Final Mitigation Report shall include cumulative results, analysis of data collected, and conclusions.

- 4.6. Weekly Compliance Report.** The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in Conditions of Approval Compliance Monitoring and Record of Covered Species Relocated into a Weekly Compliance Report and submit it to CDFW along with a copy of the MMRP table with notes showing the current implementation status of each mitigation measure and education program signed acknowledgement forms. Weekly Compliance Reports shall also include an accounting of the number of acres that have been permanently and temporarily disturbed by the Project, both for the prior week, and the total since ITP issuance, if applicable; the number of acres of habitat disturbance anticipated to occur in the Project Area during the coming week, if applicable; a summary of all pre activity surveys and compliance monitoring conducted during the previous week; and the activities authorized under the Covered Activities which occurred during the previous week. Weekly Compliance Reports shall be submitted via e-mail to CDFW's Regional Representative, CDFW's Regional Office, and Headquarters CESA Program by the Monday following the week after Covered Activities commenced and every Monday thereafter. At the time of this ITP's approval, the CDFW Regional Representative is Sarah Bahm (Sarah.Bahm@wildlife.ca.gov), the CDFW Regional Office e-mail is R4CESA@wildlife.ca.gov and Headquarters CESA Program e-mail is CESA@wildlife.ca.gov. CDFW may at any time increase the timing and number of compliance inspections and reports required under this provision depending upon the results of previous compliance inspections. If CDFW determines the reporting schedule must be changed, CDFW will notify Permittee in writing of the new reporting schedule.
- 4.7. CNDDDB Observations.** The Designated Biologist shall submit all observations of Covered Species to CDFW's California Natural Diversity Database (CNDDDB) within 10 calendar days of the observation and the Designated Biologist shall include copies of the submitted forms with the next Weekly Compliance Report.
- 4.8. Final Mitigation Report.** No later than 30 days after completion of all mitigation measures, Permittee shall provide CDFW with a Final Mitigation Report via e-mail as described for the Weekly Compliance Reports above. The Designated Biologist shall prepare the Final Mitigation Report which shall include, at a minimum: (1) a

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summary of all Weekly Compliance Reports; (2) a copy of the table in the MMRP with notes showing when each of the mitigation measures was implemented; (3) all available information about Project-related incidental take of the Covered Species; (4) information about other Project impacts on the Covered Species; (5) beginning and ending dates of Covered Activities; (6) GIS data files documenting any changes from the temporary and/or permanent habitat impact areas associated with the GIS data files submitted as part of Condition of Approval Geographic Information Systems Data Files (7) 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; (8) 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 (9) any other pertinent information.

- 4.9. Notification of Take or Injury.** Permittee shall immediately notify the Designated Biologist if a Covered Species is taken or injured by a Project-related activity, or if a Covered Species is otherwise found dead or injured within the vicinity of the Project. The Designated Biologist or Designated Representative shall provide initial notification to CDFW within 24 hours of discovery via e-mail to the CDFW Regional Representative and R4CESA@wildlife.ca.gov. The initial notification to CDFW shall include information regarding the location, species, and number of animals taken or injured, summary of next steps that will be taken, and the ITP Number. Following initial notification, Permittee shall email the CDFW Regional Representative and R4CESA@wildlife.ca.gov a written report within two calendar days. The report shall include the date and time of the finding or incident, location of the animal or carcass, photographs, steps taken after discovery, explanation as to cause of take or injury, and any other pertinent information.

5. 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:

- 5.1. Designated Biologist or Designated Monitor On Site.** The Designated Biologist or a Designated Monitor approved to handle GKR and SJAS shall be on site for the duration of the day during all activities that may result in the take of Covered Species.
- 5.2. Work Hours and Nightwork.** Permittee shall confine all surface- or vegetation-disturbing activities to daylight hours (sunrise to sunset) except activities occurring overnight that are specifically described in the Project Description section of this ITP. Permittee shall ensure that all vehicle traffic necessary during nighttime hours shall be conducted with extra caution to minimize impacts to nocturnal species. Permittee shall request written authorization from CDFW (email will suffice) if any additional nightwork shall occur.

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- 5.3. Lighting. Permittee shall not install permanent lighting at the Project Area. Permittee shall not use temporary, fixed, exterior lighting, including motion-triggered security lighting between sunset and sunrise except the use of temporary light towers for activities occurring overnight specifically described in the Project Description section of this ITP, or unless authorized in writing from CDFW (email will suffice). Permittee shall ensure that all temporary, fixed, exterior lighting used within the Project Area is turned on only when people are present and shall not cast light on Covered Species habitat beyond the footprint of the Project Area.
- 5.4. Delineation of Ingress and Egress Routes. Permittee shall flag or otherwise clearly mark all access routes in the field from the paved road. Vehicle and equipment operation shall be limited to these designated, marked ingress and egress routes.
- 5.5. Equipment Fueling and Maintenance. Permittee shall ensure that all equipment fueling and maintenance occur at least 25 feet from Covered Species burrows and dens, unless fueling and maintenance occurs within the fenced Project Area where vegetation has been removed per Condition of Approval Vegetation Removal and burrows and dens have been excavated per Conditions of Approval GKR Burrow Excavation, SJAS Burrow Excavation, and SJKF Den Excavation below, or approved in advance in writing by CDFW. Permittee shall ensure that sufficient spill containment and cleanup equipment be present at all fueling locations. Permittee shall request written authorization from CDFW (email will suffice) if any additional fueling and maintenance locations are necessary outside of the Project Area.
- 5.6. Vehicle Parking. Permittee shall not allow vehicles to park on top of Covered Species burrows and dens. Permittee shall restrict parking to within designated staging and parking areas for which vegetation has been removed per Condition of Approval Vegetation Removal and burrows and dens have been excavated per Conditions of Approval GKR Burrow Excavation, SJAS Burrow Excavation, and SJKF Den Excavation, below, or within the disturbed access road as described in the Project Description section of this ITP. Vehicles and equipment parked overnight shall be located at least 50 feet from all Covered Species burrows and the applicable buffer distance from dens per Condition of Approval SJKF Den Avoidance, unless parking occurs within the fenced Project Area where vegetation has been removed per Condition of Approval Vegetation Removal and burrows and dens have been excavated per Conditions of Approval GKR Burrow Excavation, SJAS Burrow Excavation, and SJKF Den Excavation, or approved in advance in writing by CDFW.
- 5.7. Vehicle and Equipment Inspection. Workers shall inspect for Covered Species under vehicles and equipment every time before the vehicles and equipment are moved. If a Covered Species is present, the worker shall immediately notify the Designated Biologist and wait for the Covered Species to move unimpeded to a safe location. Alternatively, the Designated Biologist(s) may move GKR and SJAS

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out of harm's way outside of the Project Area and in accordance with the CDFW-approved GKR Mortality Reduction and Relocation Plan or SJAS Mortality Reduction and Relocation Plan, respectively. If a trapped SJKF does not vacate of its own accord within a reasonable timeframe, the Permittee or Designated Biologist(s) shall contact CDFW, and Permittee shall get written concurrence prior to proceeding with eviction of the SJKF.

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

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- 5.12. Excavation Inspection.** The Designated Biologist and/or Designated Monitor shall inspect all open trenches, holes, sumps, and other excavations within the Project Area at the beginning and end of each day when Covered Activities occur for any Covered Species that may be trapped. Project workers shall inspect all open holes, sumps, trenches, and other excavations for Covered Species immediately before they are backfilled. If any Project worker discovers that Covered Species have become trapped, the Project worker shall immediately cease all Covered Activities in the vicinity which could cause further entrapment, or injure or kill the Covered Species, and notify the Designated Biologist(s). The Designated Biologist(s) and Project workers shall allow Covered Species to move unimpeded to a safe location, if possible, before Covered Activities are allowed to continue. Alternatively, the Designated Biologist(s) may move GKR and SJAS out of harm's way outside of the Project Area and in accordance with the CDFW-approved GKR Mortality Reduction and Relocation Plan or SJAS Mortality Reduction and Relocation Plan, respectively. If a trapped SJKF does not vacate of its own accord within a reasonable timeframe, the Permittee or Designated Biologist(s) shall contact CDFW, and Permittee shall get written concurrence prior to proceeding with eviction of the SJKF.
- 5.13. Covers and Ramps.** Permittee shall ensure that all open trenches, holes, sumps, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope are covered when workers or equipment are not actively working in the excavation, which includes cessation of work overnight, or have installed an escape ramp of earth or a non-slip material with a less than 1:1 (45 degree) slope.

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

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

- 5.14. Covered Species Observations.** All workers shall immediately inform the Designated Biologist if a Covered Species is seen within or near a Project Area during implementation of any Covered Activity. The Designated Biologist shall stop all work in the vicinity of the Covered Species, which could harm the animal, until the Covered Species is allowed to move unimpeded from the Project Area of its own accord. Alternatively, the Designated Biologist(s) may move GKR and SJAS out of harm's way outside of the Project Area and in accordance with the CDFW-approved GKR Mortality Reduction and Relocation Plan or SJAS Mortality Reduction and Relocation Plan, respectively.
- 5.15. Delineation of Environmentally Sensitive Areas.** Permittee shall clearly delineate Environmentally Sensitive Areas before Covered Activities commence in the Project Area. Environmentally Sensitive Areas shall be marked with brightly-colored markers visible to workers with posted signs, posting stakes, flags, and/or rope or cord, and place fencing as necessary to minimize the disturbance of Covered Species. Environmentally Sensitive Areas are defined as all areas that warrant special protection and no-disturbance exclusion buffers as defined in Conditions of Approval GKR Burrow Avoidance, SJAS Burrow Avoidance, and SJKF Den Avoidance. Permittee shall maintain Environmentally Sensitive Area markers in good repair for the duration of the Covered Activities in the Project Area. All markers shall be removed and properly disposed of immediately upon completion of Covered Activities in the Project Area. No Covered Activities are allowed within Environmentally Sensitive Areas except as described below in Conditions of Approval Temporary Exclusion Fencing, Temporary Exclusion Fencing Installation, GKR Pre-Activity Surveys and Burrow Map Reporting, SJAS Pre-Activity Surveys and Burrow Map Reporting, and SJKF Pre-Activity Surveys and Den Map Reporting.
- 5.16. Vegetation Removal.** Prior to beginning Covered Activities, Permittee shall cut/clip and remove any woody vegetation (i.e., shrubs) within the Project Area that will be disturbed by Covered Activities to encourage Covered Species to move out of the area. The Designated Biologist shall supervise shrub removal to ensure hand tools are used to cut/clip the vegetation at the base of the plants.
- 5.17. Temporary Exclusion Fencing.** Permittee shall install trenchless temporary exclusion fencing around the perimeter of the Project Area following surveys to flag all potential Covered Species burrows and dens and immediately (i.e., less than 24 hours) prior to GKR live trapping in accordance with Condition of Approval GKR Relocation below. Fencing shall only be installed around the workspace surrounding and staging area connected to the excavation area. Permittee shall submit an Exclusion Fencing Plan for review and approval in writing by CDFW which shall include, but not be limited to, the fencing material, design, installation methods, access gates, and a map of installation locations.

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- 5.18. Temporary Exclusion Fencing Installation.** The Designated Biologist shall accompany the exclusion fence installation crew to ensure that Covered Species are not killed or injured during fence installation. The Designated Biologist shall ensure all small mammal burrow entrances are avoided (i.e., not covered) by fencing material during fence installation. The Designated Biologist shall ensure the Temporary Exclusion Fencing is sufficiently supported to maintain its integrity under all conditions such as wind and heavy rain for the duration of the Covered Activities in the Project Area. The Designated Biologist shall inspect the Temporary Exclusion Fencing daily when Covered Activities are occurring within the Project Area and at least once weekly during periods of inactivity. The Designated Biologist or Permittee shall maintain and immediately repair the fence when necessary. All fencing and associated materials shall be removed immediately upon completion of Covered Activities within the Project Area.
- 5.19. Covered Species Injury.** If any life stage of any of the Covered Species is injured or found dead within the vicinity of the Project Area, Permittees shall notify CDFW of the injury or mortality to the Covered Species immediately by email as described in the Condition of Approval Notification of Take or Injury. The Designated Biologist shall follow the approved GKR Mortality Reduction and Relocation Plan and SJAS Mortality Reduction and Relocation Plan (Conditions of Approval below) to either immediately transport injured individuals to a CDFW-approved wildlife rehabilitation center or veterinary facility or follow approved collection and storage procedures for deceased animals. Permittees shall bear any costs associated with the care, treatment, recovery, and release of such injured Covered Species.

GKR-Specific Take Minimization Measures

- 5.20. GKR Mortality Reduction and Relocation Plan.** Permittee shall submit a GKR Mortality Reduction and Relocation Plan to CDFW prior to beginning Covered Activities. Trapping, burrow excavation, and other relocation activities shall not proceed until this plan has been approved in writing by CDFW's Regional Representative. The GKR Mortality Reduction and Relocation Plan shall include, but not be limited to, timing; detailed description of trapping methodology; detailed burrow excavation methods; release location(s); detailed release methods (i.e., soft release or another method); artificial burrow design and installation methods; description of exclusion fencing type and implementation; and identification of a wildlife rehabilitation center or veterinary facility capable of and willing to treat injured GKR. Once the GKR Mortality Reduction and Relocation Plan is approved in writing by CDFW, it shall be used for all GKR mortality reduction activities for the duration of this ITP. Any proposed changes to the CDFW-approved GKR Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed GKR Mortality Reduction and Relocation Plan modifications.

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- 5.21. GKR Pre-Activity Surveys and Burrow Map Reporting.** The Designated Biologist(s) shall perform a survey of the Project Area and 50 feet beyond the limits of the Project Area to identify, flag, and map all potential GKR burrows, whether they appear active or inactive, no more than seven (7) calendar days prior to beginning Covered Activities in the Project Area. Permittee shall provide the results in a GKR Burrow Map Survey written report to CDFW’s Regional Representative at least three (3) calendar days prior to beginning Covered Activities. The report shall include, but not be limited to, methodology, date and time of survey, the number of potential GKR burrows, a discussion and map of the locations of each potential GKR burrow and the date when live trapping will occur as described in Condition of Approval GKR Relocation below.
- 5.22. GKR Burrow Avoidance.** The Designated Biologist shall establish a no-disturbance buffer of 50 feet or greater around suspected or known to be occupied GKR burrows and precincts within and adjacent to the Project Area, identified in the GKR Burrow Map Survey report. If the 50-foot no-disturbance buffer cannot be established, live trapping, relocation, and burrow excavation shall occur in accordance with Conditions of Approval GKR Relocation, GKR Trapping Constraints, and GKR Burrow Excavation below.
- 5.23. GKR Relocation.** Any potential GKR burrows detected by the Designated Biologist within the Project Area that cannot be avoided per Condition of Approval GKR Burrow Avoidance shall be live trapped for one (1) night by the Designated Biologist immediately following exclusion fencing installation and prior to commencing Covered Activities within the Project Area. The Designated Biologist shall relocate any captured GKR to the CDFW-approved release site identified in the GKR Mortality Reduction and Relocation Plan. The Designated Biologist shall relocate any haystacks, seed caches, and seed stores found with live-trapped GKR with the associated individual GKR by placing those materials at the release location with that individual.
- 5.24. GKR Trapping Constraints.** To reduce the amount of time a pregnant or lactating/nursing female may be in a trap, the Designated Biologist shall ensure that all traps set from January 1 through August 31 for the relocation of GKR be set no more than 1 hour prior to sunset and closed no more than 1 hour after sunrise. The Designated Biologist shall check all traps set during this time-period when females may be pregnant or lactating/nursing for occupancy at least every 2 hours between sunset and sunrise.

The Designated Biologist shall close all traps for GKR during the threat of inclement weather, such as the National Weather Service prediction of a 30 percent or greater chance of precipitation that can be independently verified by both CDFW and the Permittee. Additionally, the Designated Biologist shall not

open or shall close all traps for GKR if the air temperature exceeds 105 degrees Fahrenheit.

The Designated Biologist shall place batting or other appropriate insulating material and additional food in each open trap if the air temperature is predicted to drop below 50 degrees Fahrenheit. The Designated Biologist shall replace this material with new material after each time a capture occurs in a given trap. The Designated Biologist shall cease trapping if captured animals are found to be lethargic or otherwise are showing signs of a decrease of body temperature.

- 5.25. GKR Burrow Excavation.** Immediately following completion of live trapping activities conducted to address Condition of Approval GKR Relocation (i.e., the morning following GKR trapping) and prior to commencing Covered Activities within the Project Area, the Designated Biologist, or individuals under the direct supervision of the Designated Biologist, shall fully excavate by hand all potential GKR burrows within the Project Area to be disturbed by Covered Activities. The Designated Biologist shall relocate any GKR encountered during burrow excavation to the CDFW-approved release site(s) identified in the GKR Mortality Reduction and Relocation Plan. Haystacks, seed caches, and seed stores found with a GKR during excavation shall be relocated with the associated individual GKR and shall be placed the relocated individual.
- 5.26. Protection of GKR Food Stores.** Where impacts occur that do not warrant relocation of GKR as directed by the GKR Mortality Reduction and Relocation Plan, Permittee shall leave any GKR food stores undisturbed, including but not limited to, haystacks, seed caches, or other stockpiled forage. If avoidance is not feasible, the Designated Biologist shall implement measures to keep the food stores intact, including temporary relocation of the food stores (only during daytime; seeds must be returned to original location prior to sunset), cover the seeds with plywood to allow temporary vehicle or foot-traffic access, or implement other measures developed in consultation with CDFW.

SJAS-Specific Take Minimization Measures

- 5.27. SJAS Mortality Reduction and Relocation Plan.** Permittee shall submit to CDFW a SJAS Mortality Reduction and Relocation Plan, prepared by the Designated Biologist(s), for CDFW review and written approval. The SJAS Mortality Reduction and Relocation Plan shall include, but not be limited to, timing; detailed burrow excavation methods; release location(s); detailed release methods (i.e., soft release, hard release, or another method); artificial burrow design and installation methods (if needed); and identification of a wildlife rehabilitation center or veterinary facility capable of and willing to treat injured SJAS. Once the SJAS Mortality Reduction and Relocation Plan is approved in writing by CDFW, it shall be used for all SJAS mortality reduction activities for the duration of this ITP. Any

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proposed changes to the CDFW-approved SJAS Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed SJAS Mortality Reduction and Relocation Plan modifications.

- 5.28.** SJAS Pre-Activity Surveys and Burrow Map Reporting. The Designated Biologist(s) shall perform SJAS Pre-Activity Surveys of each Project Area and 50 feet beyond the limits of the Project Area to identify, flag, and map all potential SJAS burrows no more than seven (7) calendar days prior to beginning Covered Activities in the Project Area. Permittee shall provide the Pre-Activity Survey results in a written report to CDFW at least three (3) calendar days prior to beginning Covered Activities. The report shall include, but not be limited to, methodology, date and time of survey, and the number, a discussion, and map of the locations of each potential SJAS burrow.
- 5.29.** SJAS Burrow Avoidance. The Designated Biologist shall establish a no-disturbance buffer of 50 feet or greater around suspected or known to be occupied SJAS burrows within the Project Area. If the 50-foot no-disturbance buffer cannot be established, burrow excavation shall occur as described below.
- 5.30.** SJAS Burrow Excavation. The Designated Biologist, or an individual under the direct supervision of the Designated Biologist, shall fully excavate by hand any potential SJAS burrows present within the portion of the Project Area to be disturbed by Covered Activities. Any SJAS encountered during burrow excavation shall be allowed to escape out of harm's way to the adjacent natural habitat or the Designated Biologist shall relocate them to the CDFW-approved release site identified in the approved SJAS Mortality Reduction and Relocation Plan. The Designated Biologist shall collect and relocate any dormant, lactating/nursing female, or dependent juvenile Covered Species encountered with salvageable burrow contents to an artificial burrow installed at the CDFW-approved release site.

SJKF-Specific Take Minimization Measures

- 5.31.** SJKF Pre-Activity Surveys and Den Map Reporting. The Designated Biologist(s) shall perform Pre-Activity Surveys for SJKF and SJKF dens (potential, known, atypical, and natal dens) no more than seven (7) calendar days prior to beginning Covered Activities in the Project Area. Pre-Activity Surveys shall include each Project Area and 50 feet beyond the limits of each Project Area to identify all potential SJKF dens as well as a buffer zone of 500 feet beyond the limits of the Project Area (where feasible) to identify SJKF dens. If the Designated Biologist identifies any SJKF dens, the den(s) shall be monitored for at least two (2) consecutive nights with tracking medium and wildlife camera to determine the current use of the den(s). Permittee shall notify the United States Fish and Wildlife Service (USFWS) and CDFW within 24 hours via e-mail if any SJKF-occupied

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atypical dens, known dens, or natal dens (occupied or unoccupied) are discovered within or immediately adjacent to the Project Area. Permittee shall provide the Pre-Activity Survey results in a written report to CDFW at least three (3) calendar days prior to beginning Covered Activities. The Pre-Activity Survey report shall include, but not be limited to, methodology, date and time of survey, the number, type, and status of SJKF dens, a discussion and map of the locations of each SJKF den identified.

5.32. SJKF Den Avoidance. Permittee shall establish no-disturbance buffer zones around potential, known and natal SJKF dens according to the following guidelines:

- If a potential SJKF den (any subterranean hole, three inches or larger, for which no evidence is present to conclude that the den is being used or has been used by a SJKF) is discovered, Permittee shall establish a minimum 50-foot no-disturbance buffer around the den.
- If a known den (one that shows evidence of current use or was used in the past) is discovered, Permittee shall establish a minimum no-disturbance buffer of at least 100 feet around the den.
- If a natal den (den in which SJKF young are reared, typically with two or more openings) is discovered, Permittee shall establish a no-disturbance buffer of at least 200 feet around the den. Natal dens with pups shall have a no-disturbance buffer of at least 500 feet.
- Permittee shall notify the USFWS and CDFW's Regional Representative immediately via phone and email if any SJKF-occupied atypical dens, known dens, or natal dens are discovered within or immediately adjacent to the Project Area. An established SJKF den no-disturbance buffer may be removed once the SJKF is no longer using the area.

5.33. SJKF Den Blockage. Permittee shall not destroy SJKF dens unless they are in an area of direct ground disturbance (e.g., excavation/trench area) or their location poses a risk of direct harm to SJKF individuals. Dens in areas of temporary disturbance shall remain intact and the Designated Biologist shall block the entrance by installing an object (e.g., sandbags) approved in advance in writing by CDFW to prevent SJKF from entering and utilizing the den during Covered Activities. The Designated Biologist shall remove the object immediately after Covered Activities are completed in the Project Area when the Designated Biologist has determined that potential resumed use of the den will not result in harm to SJKF. Permittee shall not destroy or modify dens that are beyond the direct footprint of ground disturbance to preempt their use and den buffer establishment.

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5.34. SJKF Den Excavation. The Designated Biologist or individuals under direct supervision of the Designated Biologist shall excavate potential or known dens that exhibit signs of SJKF use or characteristics suggestive of SJKF dens (including dens in natural substrate and in/under man-made structures) that cannot be avoided as described above only after the Designated Biologist has determined that SJKF is not currently present after two (2) consecutive nights of monitoring with tracking medium and wildlife camera.

Potential SJKF dens without any signs of SJKF use or characteristics suggesting it is a SJKF den may be excavated under the direct supervision of the Designated Biologist without advance tracking or camera monitoring. Natal dens shall not be excavated until the pups and adults have vacated the den and then only after concurrence from the USFWS and CDFW.

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

Dens to be destroyed shall be fully excavated, filled with dirt and compacted to ensure that SJKF cannot reenter or use the den during the period that Covered Activities would occur in the Project Area. If an individual SJKF does not vacate a den within the Project Area within a reasonable timeframe, Permittee shall consult with CDFW and the USFWS to obtain written guidance from both agencies prior to proceeding with den destruction.

6. Habitat Management Land Acquisition:

Based on previous captures and observations of the Covered Species and the number of small mammal burrows and dens currently documented within the Project Area and vicinity, CDFW has determined that permanent protection and perpetual management of compensatory habitat is necessary and required pursuant to CESA to fully mitigate Project-related impacts of the taking on the Covered Species that will result with implementation of the Covered Activities. This determination is based on factors including an assessment of the importance of the habitat in the Project Area, the extent to which the Covered Activities will impact the Covered Species and habitat, and CDFW's estimate of the acreage required to provide for adequate compensation.

To meet this requirement, the Permittee shall either purchase 0.4 acre of Covered Species credits from a CDFW-approved mitigation or conservation bank pursuant to Condition of Approval Covered Species Credits below OR shall provide for both the permanent protection and management of 0.4 acre of Habitat Management (HM) lands pursuant to Condition of Approval Habitat Management Lands Acquisition and Protection

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below and the calculation and deposit of the management funds pursuant to Condition of Approval Endowment Fund below. Purchase of Covered Species credits OR permanent protection and funding for perpetual management of HM lands must be complete before starting Covered Activities, or by January 10, 2028, which is within 30 months of the effective date of the original ITP, if Security is provided pursuant to Condition of Approval Security below for all uncompleted obligations.

- 6.1. Cost Estimates. For the purposes of determining the Security amount, CDFW has estimated the cost sufficient for CDFW or its contractors to complete acquisition, protection, and perpetual management of the HM lands as follows:
 - 6.1.1. Land acquisition costs for HM lands identified in Habitat Management Lands Acquisition and Protection below, estimated at \$7,461.50/acre for 0.4 acre: **\$2,984.60**. Land acquisitions costs are estimated using local fair market current value per acre for lands with habitat values meeting mitigation requirements;
 - 6.1.2. All other costs necessary to review and acquire the land in fee title and record a conservation easement as described in Fee Title and Conservation Easement below: **\$10,111.66**;
 - 6.1.3. Start-up costs for HM lands, including initial site protection and enhancement costs as described in Start-up Activities below, estimated at **\$5,747.43**;
 - 6.1.4. Interim management period funding as described in Interim Management (Initial and Capital) below, estimated at **\$27,105.21**;
 - 6.1.5. Long-term management funding as described in Endowment Fund below, estimated at \$165,409.43/acre for 0.4 acre: **\$66,163.77**. Long-term management funding is estimated initially for the purpose of providing Security to ensure implementation of HM lands management; and
 - 6.1.6. Related transaction fees including but not limited to account set-up fees, administrative fees, title and documentation review and related title transactions, expenses incurred from other state agency reviews, and overhead related to transfer of HM lands to CDFW as described in Reimburse CDFW, estimated at **\$12,000.00**.
 - 6.1.7. All costs associated with CDFW engaging an outside contractor to complete the mitigation tasks, including but not limited to acquisition, protection, and perpetual funding and management of the HM lands and restoration of temporarily disturbed habitat. These costs include but are not limited to the cost of issuing a request for proposals, transaction costs,

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contract administration costs, and costs associated with monitoring the contractor's work **\$42,000.00**.

- 6.2.** Covered Species Credits. If the Permittee elects to purchase Covered Species credits to complete compensatory mitigation obligations, then Permittee shall purchase 0.4 acre of Covered Species credits from a CDFW-approved mitigation or conservation bank prior to initiating Covered Activities, or no later than January 10, 2028 which is 30 months from the issuance of the original ITP, if Security is provided pursuant to Condition of Approval Security below. Prior to purchase of Covered Species credits, Permittee shall obtain CDFW approval to ensure the mitigation or conservation bank is appropriate to compensate for the impacts of the Project. Permittee shall submit to CDFW a copy of the Bill of Sale(s) and Payment Receipt prior to initiating Covered Activities or within 30 months from issuance of this ITP if Security is provided.

OR

- 6.3.** Habitat Management Lands Acquisition and Protection. If the Permittee elects to provide for the acquisition, permanent protection, and perpetual management of HM lands to complete compensatory mitigation obligations, then the Permittee shall:
- 6.3.1.** Fee Title. Transfer fee title of the HM lands to CDFW pursuant to terms approved in writing by CDFW. Alternatively, CDFW, in its sole discretion, may authorize a governmental entity, special district, non-profit organization, for-profit entity, person, or another entity to hold title to and manage the property provided that the district, organization, entity, or person meets the requirements of Government Code sections 65965-65968, as amended.
- 6.3.2.** Conservation Easement. If CDFW does not hold fee title to the HM lands, CDFW shall act as grantee for a conservation easement over the HM lands or shall, in its sole discretion, approve a non-profit entity, public agency, or Native American tribe to act as grantee for a conservation easement over the HM lands provided that the entity, agency, or tribe meets the requirements of Civil Code section 815.3. If CDFW elects not to be named as the grantee for the conservation easement, CDFW shall be expressly named in the conservation easement as a third-party beneficiary. The Permittee shall obtain CDFW written approval of any conservation easement before its execution or recordation. No conservation easement shall be approved by CDFW unless it complies with Civil Code sections 815-816, as amended, and Government Code sections 65965-65968, as amended and includes provisions expressly addressing Government Code sections 65966(j) and 65967(e). Because

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

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

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

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

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

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

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

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

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

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

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

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

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- 6.4.2.2.1. 10 Percent Contingency. A 10 percent contingency shall be added to each endowment calculation to hedge against underestimation of the fund, unanticipated expenditures, inflation, or catastrophic events.
- 6.4.2.2.2. Three Years Delayed Spending. The endowment shall be established assuming spending will not occur for the first three years after full funding.
- 6.4.2.2.3. Non-annualized Expenses. For all large capital expenses to occur periodically but not annually such as fence replacement or well replacement, payments shall be withheld from the annual disbursement until the year of anticipated need or upon request to Endowment Manager and CDFW.

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

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

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

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

for any shortfall in the Endowment resulting from CDFW's decision to make such an expenditure.

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

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

7.1. Security Amount. The Security shall be in the amount of **\$166,112.67**. This amount is determined by CDFW based on the cost estimates identified in Condition of Approval Cost Estimates above, sufficient for CDFW or its contractors to complete land acquisition, property enhancement, startup costs, initial management, long-term management, and monitoring.

7.2. Security Form. The Security shall be in the form of an irrevocable letter of credit (see Attachment 3) or another form of Security approved in advance in writing by CDFW's Office of the General Counsel.

7.3. Security Timeline. The Security shall be provided in draft form to CDFW's Regional Representative for review and approval prior to execution. Permittee shall fully execute the CDFW-approved Security within 30 days after issuance of this Amended ITP.

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

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

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

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

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Credit Purchase

- Copy of Bill of Sale(s) and Payment Receipt(s) for the purchase of Covered Species credits; and
- Timely submission of all required reports.

OR

Habitat Management Land Acquisition

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

Even if Security is provided, the Permittee must complete the required acquisition, protection and transfer of all HM lands and record any required conservation easements no later than **January 10, 2028** which is 30 months from the effective date of the original ITP. CDFW may require the Permittee to provide additional HM lands and/or additional funding to ensure the impacts of the taking are minimized and fully mitigated, as required by law, if the Permittee does not complete these requirements within the specified timeframe.

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

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applicable law. Neither the Designated Biologist nor CDFW shall be liable for any costs incurred in complying with stop-work orders.

XII. 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.

XIII. Notices:

Written notices, reports and other communications relating to this ITP shall be delivered to CDFW by email or registered first class mail at the following address, or at addresses CDFW may subsequently provide the Permittee. Notices, reports, and other communications shall reference the Project name, Permittee, and ITP Number 2081-2023-046-04 in a cover letter and on any other associated documents.

Original cover with attachment(s) to:

Julie A. Vance, Regional Manager
California Department of Fish and Wildlife
1234 East Shaw Avenue
Fresno, California 93710
R4CESA@wildlife.ca.gov

and a copy to:

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

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

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

XIV. Compliance with the California Environmental Quality Act:

As the "public agency which has the principal responsibility of...approving [the Project]," (Pub. Resources Code, § 21067), CDFW is the lead agency for the Project for purposes of complying with the California Environmental Quality Act (CEQA, Pub. Resources Code,

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§ 21000 *et seq.*). CDFW has determined that this Project is exempt from CEQA because it is an action “necessary to prevent or mitigate an emergency.” (Pub. Resources Code, §21080, subd. (b)(4).) and “necessary to maintain service essential to the public health, safety or welfare, including those that require a reasonable amount of planning to address an anticipated emergency” Cal. Code Regs., tit. 14, §15269, subd. (b). CDFW has filed a Notice of Exemption for the Project.

XV. Findings Pursuant to CESA:

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

CDFW finds based on substantial evidence in the ITP application, 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) Weekly Compliance Reports. CDFW evaluated factors including an assessment of the importance of the habitat in the Project Area, the extent to which the Covered Activities will impact the habitat, and CDFW’s estimate of the acreage required to provide for adequate compensation. Based on this evaluation, CDFW determined that the protection and management in perpetuity of 0.4 acre of compensatory habitat that is contiguous with other protected Covered Species habitat and/or is of higher quality than the habitat being destroyed by the Project, along with the minimization, monitoring, reporting, and funding requirements of this ITP minimizes and fully mitigates the impacts of the taking caused by the Project;
- (3) The take avoidance and mitigation measures required pursuant to the conditions of this ITP and its attachments are roughly proportional in extent to the impacts of the taking authorized by this ITP;
- (4) The measures required by this ITP maintain Permittee’s objectives to the greatest extent possible;
- (5) All required measures are capable of successful implementation;
- (6) This ITP is consistent with any regulations adopted pursuant to Fish and Game Code sections 2112 and 2114;

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- (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.

XVI. Attachments:

FIGURE 1	Project Vicinity Map
FIGURE 2	Detailed Project Map
ATTACHMENT 1	Revised Mitigation Monitoring and Reporting Program
ATTACHMENT 2	Biologist Resume Form
ATTACHMENT 3	Letter of Credit Form
ATTACHMENT 4	Minor Amendment No. 1 with Track Changes

ISSUED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

ON 2/3/2026

DocuSigned by:

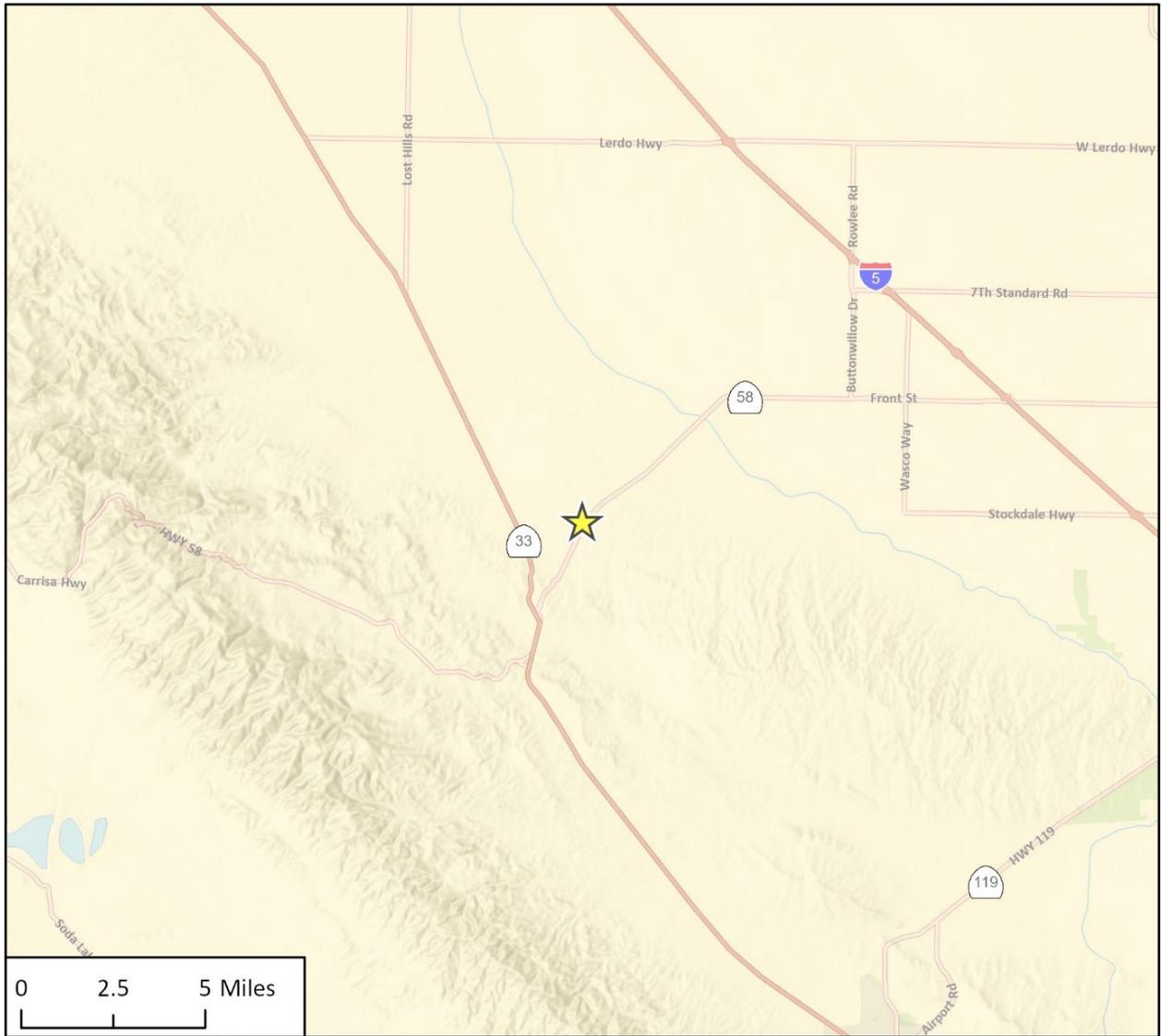
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 Julie A. Vance, Regional Manager
 CENTRAL REGION

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FIGURE 1
Vicinity Map

Southern California Gas Company Line 85 Deep Well Anode Install Project

Figure 1 Project Vicinity Map



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23-14156
Fig 1 Regional Location

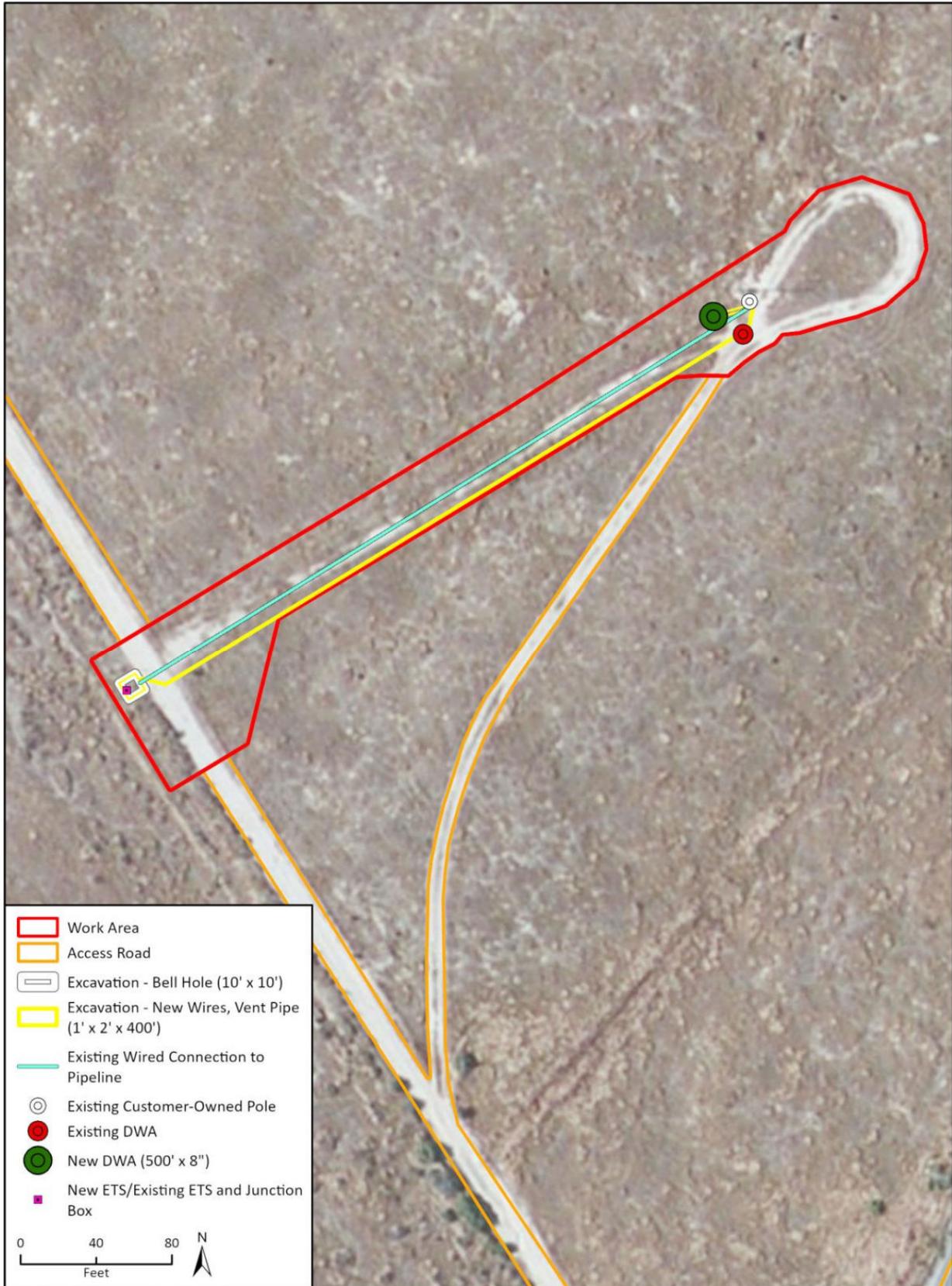
 Project Location



FIGURE 2
Detailed Project Map

Southern California Gas Company Line 85 Deep Well Anode Install Project

Figure 2 Detailed Project Map



ATTACHMENT 1

Revised Mitigation Monitoring and Reporting Program

Attachment 1

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
REVISED MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)**

CALIFORNIA ENDANGERED SPECIES ACT

INCIDENTAL TAKE PERMIT NO. 2081-2023-046-04

PERMITTEE: Southern California Gas Company

**PROJECT: Line 85 Mile Post 55.91 Deep Well Anode
Install 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.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
BEFORE DISTURBING SOIL OR VEGETATION					
1	<p><u>Designated Representative.</u> Before starting Covered Activities, Permittee shall designate a representative (Designated Representative) responsible for communications with CDFW and overseeing compliance with the ITP. Permittee shall notify CDFW in writing before starting Covered Activities of the Designated Representative's name, business address, and contact information, and shall notify CDFW in writing if a substitute Designated Representative is selected or identified at any time during the term of the ITP.</p>	ITP Condition # 3.1	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
2	<p><u>Designated Biologist(s) and Designated Monitor(s).</u> Permittee shall submit to CDFW in writing the name, qualifications, business address, contact information, and references with contact information of Designated Biologist(s) and Designated Monitor(s) using the Biologist Resume Example (Attachment 2) or another format containing the same information. Permittee shall review qualifications before submission and ensure that the Designated Biologist(s) and Designated Monitor(s) are knowledgeable and experienced in Covered Species' biology and natural history. Permittee will also ensure the Designated Biologist's experience with: collecting, handling, and excavating burrows to minimize mortality of GKR and/or SJAS; monitoring, blocking, evicting, and excavating dens being actively used by SJKF; and monitoring construction activities following the Conditions of Approval of an ITP for the Covered Species.</p> <p>CDFW may approve Designated Biologist(s) for one, some, or all Covered Species in the ITP. For example, CDFW may approve a Designated Biologist to implement all Conditions of Approval for GKR and SJAS, approve a Designated Biologist to implement all Conditions of Approval for SJKF only, or approve a Designated Biologist to implement all Conditions of Approval for all Covered Species in the ITP. CDFW may approve Designated Monitor(s) not meeting the qualifications of a Designated Biologist to assist in compliance monitoring and/or implementation of Conditions of Approval as specified by CDFW. Designated Monitor responsibilities shall be restricted to specific Conditions of Approval, specified by the Permittee or Designated Representative at the time their qualifications are submitted for review. Designated Monitor(s) and their specific activities shall be approved in advance and in writing by CDFW.</p> <p>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.</p>	ITP Condition # 3.2	Before commencing ground- or vegetation-disturbing activities	Permittee	
3	<p><u>Education Program.</u> Permittee shall conduct an education program for all persons employed or otherwise working in the Project Area before they can perform any work. The program shall consist of a presentation from the Designated Biologist that includes a discussion of the biology and general behavior of the Covered Species, information about the distribution and habitat needs of the Covered Species, sensitivity of the Covered Species to human activities, its status pursuant to CESA including legal protection, recovery efforts, penalties for violations, and Project-specific protective measures described in the ITP. Permittee shall prepare and distribute wallet-sized cards or a fact sheet handout containing this information for workers to carry in the Project Area. Permittee shall provide interpretation and translation for non-English speaking workers, and the same instruction shall be provided to any new workers before they are authorized to perform work in the Project Area. Upon completion of the program, employees shall sign a form stating they attended the program and understand all protection measures. Permittee shall provide CDFW with a copy of all education program materials before starting Covered Activities and copies of the signed acknowledgment forms as described in Condition of Approval <u>Weekly Compliance Reports.</u></p>	ITP Condition # 3.4	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee / Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
4	<u>Trash Abatement</u> . Permittee shall initiate a trash abatement program before starting Covered Activities and shall continue the program for the duration of the Project. Permittee shall ensure that trash and food items are contained in animal-proof containers and removed, ideally at daily intervals but at least once a week, to avoid attracting opportunistic predators such as ravens, coyotes, and feral dogs.	ITP Condition # 3.6	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
5	<u>Dust Control</u> . Permittee shall implement dust control measures during Covered Activities to facilitate visibility for monitoring of the Covered Species by the Designated Biologist. Permittee shall use the minimum amount of water needed and shall not allow water to form puddles.	ITP Condition # 3.7	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Permittee	
6	<u>Delineation of Property Boundaries</u> . Before starting Covered Activities, Permittee shall clearly delineate the boundaries of the Project Area where the ground- or vegetation-disturbing Covered Activities will occur with fencing, stakes, or flags along any part of the route in active construction. Permittee shall restrict all Covered Activities to within the fenced, staked, or flagged Project Area. Permittee shall maintain all fencing, stakes, and flags until the completion of Covered Activities in the Project Area and remove, and properly dispose of, all delineation materials immediately upon completion.	ITP Condition # 3.11	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
7	<u>Delineation of Habitat</u> . Permittee shall clearly delineate habitat of the Covered Species within the Project Area with posted signs, posting stakes, flags, and/or rope or cord, and place fencing as necessary to minimize the disturbance of Covered Species' habitat. Permittee shall maintain all signs, stakes, flags, rope or cord, and fencing until the completion of Covered Activities in the Project Area and remove, and properly dispose of, all habitat delineation materials immediately upon completion.	ITP Condition # 3.12	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
8	<u>Notification Before Commencement</u> . The Designated Representative shall notify CDFW before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities.	ITP Condition # 4.1	Before commencing ground- or vegetation-disturbing activities	Permittee	
9	<u>Geographic Information Systems Data Files</u> . Within 10 days of the issuance of the ITP, the Permittee shall provide CDFW with Geographic Information Systems (GIS) data files for the temporary and/or permanent habitat impact areas authorized under the ITP for each Covered Species. If more than one Covered Species occurs within the same area, the Permittee shall provide a separate set of GIS data files for each species. If habitat for a Covered Species will be both temporarily and permanently impacted, the Permittee shall also provide a separate set of GIS data files for each impact type for each species. The Permittee shall also provide any additional data requested GIS data files for the Project or related Covered Species features within 30 days of CDFW's request. All GIS data files shall be provided in a format acceptable to CDFW.	ITP Condition # 4.3	Within 10 days of ITP issuance	Permittee	
10	<u>Record of Covered Species Relocated</u> . The Designated Biologist shall maintain a record of all Covered Species handled and observed. This information shall include for each animal: (1) the locations (Global Positioning System (GPS) coordinates and maps) and time of capture and/or observation as well as release; (2) sex; (3) approximate age (adult/juvenile) and reproductive condition; (4) weight; (5) general condition and health, noting all visible conditions including gait and behavior, diarrhea, emaciation, salivation, hair loss, ectoparasites, and injuries; and (6) ambient temperature when handled and released. The Designated Biologist shall prepare a Relocation Summary and include it in the Weekly Compliance Report. The Relocation Summary required by Condition of Approval <u>Final Mitigation Report</u> shall include cumulative results, analysis of data collected, and conclusions.	ITP Condition # 4.5	Before commencing ground- or vegetation-disturbing activities / Entire Project	Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
11	<u>Delineation of Ingress and Egress Routes</u> . Permittee shall flag or otherwise clearly mark all access routes in the field from the paved road. Vehicle and equipment operation shall be limited to these designated, marked ingress and egress routes.	ITP Condition # 5.4	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee	
12	<u>Delineation of Environmentally Sensitive Areas</u> . Permittee shall clearly delineate Environmentally Sensitive Areas before Covered Activities commence in the Project Area. Environmentally Sensitive Areas shall be marked with brightly-colored markers visible to workers with posted signs, posting stakes, flags, and/or rope or cord, and place fencing as necessary to minimize the disturbance of Covered Species. Environmentally Sensitive Areas are defined as all areas that warrant special protection and no-disturbance exclusion buffers as defined in Conditions of Approval <u>GKR Burrow Avoidance</u> , <u>SJAS Burrow Avoidance</u> , and <u>SJKF Den Avoidance</u> . Permittee shall maintain Environmentally Sensitive Area markers in good repair for the duration of the Covered Activities in the Project Area. All markers shall be removed and properly disposed of immediately upon completion of Covered Activities in the Project Area. No Covered Activities are allowed within Environmentally Sensitive Areas except as described in Conditions of Approval <u>Temporary Exclusion Fencing</u> , <u>Temporary Exclusion Fencing Installation</u> , <u>GKR Pre-Activity Surveys and Burrow Map Reporting</u> , <u>SJAS Pre-Activity Surveys and Burrow Map Reporting</u> , and <u>SJKF Pre-Activity Surveys and Den Map Reporting</u> .	ITP Condition # 5.15	Before commencing ground- or vegetation-disturbing activities	Permittee	
13	<u>Vegetation Removal</u> . Prior to beginning Covered Activities, Permittee shall cut/clip and remove any woody vegetation (i.e., shrubs) within the Project Area that will be disturbed by Covered Activities to encourage Covered Species to move out of the area. The Designated Biologist shall supervise shrub removal to ensure hand tools are used to cut/clip the vegetation at the base of the plants.	ITP Condition # 5.16	Before commencing ground- or vegetation-disturbing activities	Permittee	
14	<u>Temporary Exclusion Fencing</u> . Permittee shall install trenchless temporary exclusion fencing around the perimeter of the Project Area following surveys to flag all potential Covered Species burrows and dens <u>and</u> immediately (i.e., less than 24 hours) prior to GKR live trapping in accordance with Condition of Approval <u>GKR Relocation</u> . Fencing shall only be installed around the workspace surrounding and staging area connected to the excavation area. Permittee shall submit an Exclusion Fencing Plan for review and approval in writing by CDFW which shall include, but not be limited to, the fencing material, design, installation methods, access gates, and a map of installation locations.	ITP Condition # 5.17	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
15	<u>Temporary Exclusion Fencing Installation</u> . The Designated Biologist shall accompany the exclusion fence installation crew to ensure that Covered Species are not killed or injured during fence installation. The Designated Biologist shall ensure all small mammal burrow entrances are avoided (i.e., not covered) by fencing material during fence installation. The Designated Biologist shall ensure the Temporary Exclusion Fencing is sufficiently supported to maintain its integrity under all conditions such as wind and heavy rain for the duration of the Covered Activities in the Project Area. The Designated Biologist shall inspect the Temporary Exclusion Fencing daily when Covered Activities are occurring within the Project Area and at least once weekly during periods of inactivity. The Designated Biologist or Permittee shall maintain and immediately repair the fence when necessary. All fencing and associated materials shall be removed immediately upon completion of Covered Activities within the Project Area.	ITP Condition # 5.18	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
16	<u>GKR Mortality Reduction and Relocation Plan</u> . Permittee shall submit a GKR Mortality Reduction and Relocation Plan to CDFW prior to beginning Covered Activities. Trapping, burrow excavation, and other relocation activities shall not proceed until this plan has been approved in writing by CDFW's Regional Representative. The GKR Mortality Reduction and Relocation Plan shall include, but not be limited to, timing; detailed description of trapping methodology; detailed burrow excavation methods; release location(s); detailed release methods (i.e., soft release or another method); artificial burrow design and installation methods; description of exclusion fencing type and implementation; and identification of a wildlife rehabilitation center or veterinary facility capable of and willing to treat injured GKR. Once the GKR Mortality Reduction and Relocation Plan is approved in writing by CDFW, it shall be used for all GKR mortality reduction activities for the duration of the ITP. Any proposed changes to the CDFW-approved GKR Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed GKR Mortality Reduction and Relocation Plan modifications.	ITP Condition # 5.20	Before commencing ground- or vegetation-disturbing activities	Permittee / Designated Biologist	
17	<u>GKR Pre-Activity Surveys and Burrow Map Reporting</u> . The Designated Biologist(s) shall perform a survey of the Project Area and 50 feet beyond the limits of the Project Area to identify, flag, and map all potential GKR burrows, whether they appear active or inactive, no more than seven (7) calendar days prior to beginning Covered Activities in the Project Area. Permittee shall provide the results in a GKR Burrow Map Survey written report to CDFW's Regional Representative at least three (3) calendar days prior to beginning Covered Activities. The report shall include, but not be limited to, methodology, date and time of survey, the number of potential GKR burrows, a discussion and map of the locations of each potential GKR burrow and the date when live trapping will occur as described in Condition of Approval <u>GKR Relocation</u> .	ITP Condition # 5.21	Before commencing ground- or vegetation-disturbing activities	Permittee / Designated Biologist	
18	<u>GKR Burrow Avoidance</u> . The Designated Biologist shall establish a no-disturbance buffer of 50 feet or greater around suspected or known to be occupied GKR burrows and precincts within and adjacent to the Project Area, identified in the GKR Burrow Map Survey report. If the 50-foot no-disturbance buffer cannot be established, live trapping, relocation, and burrow excavation shall occur in accordance with Conditions of Approval <u>GKR Relocation</u> , <u>GKR Trapping Constraints</u> , and <u>GKR Burrow Excavation</u> .	ITP Condition # 5.22	Before commencing ground- or vegetation-disturbing activities / Entire Project	Designated Biologist	
19	<u>GKR Relocation</u> . Any potential GKR burrows detected by the Designated Biologist within the Project Area that cannot be avoided per Condition of Approval <u>GKR Burrow Avoidance</u> shall be live trapped for one (1) night by the Designated Biologist immediately following exclusion fencing installation and prior to commencing Covered Activities within the Project Area. The Designated Biologist shall relocate any captured GKR to the CDFW-approved release site identified in the GKR Mortality Reduction and Relocation Plan. The Designated Biologist shall relocate any haystacks, seed caches, and seed stores found with live-trapped GKR with the associated individual GKR by placing those materials at the release location with that individual.	ITP Condition # 5.23	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
20	<p><u>GKR Trapping Constraints</u>. To reduce the amount of time a pregnant or lactating/nursing female may be in a trap, the Designated Biologist shall ensure that all traps set from January 1 through August 31 for the relocation of GKR be set no more than 1 hour prior to sunset and closed no more than 1 hour after sunrise. The Designated Biologist shall check all traps set during this time-period when females may be pregnant or lactating/nursing for occupancy at least every 2 hours between sunset and sunrise.</p> <p>The Designated Biologist shall close all traps for GKR during the threat of inclement weather, such as the National Weather Service prediction of a 30 percent or greater chance of precipitation that can be independently verified by both CDFW and the Permittee. Additionally, the Designated Biologist shall not open or shall close all traps for GKR if the air temperature exceeds 105 degrees Fahrenheit.</p> <p>The Designated Biologist shall place batting or other appropriate insulating material and additional food in each open trap if the air temperature is predicted to drop below 50 degrees Fahrenheit. The Designated Biologist shall replace this material with new material after each time a capture occurs in a given trap. The Designated Biologist shall cease trapping if captured animals are found to be lethargic or otherwise are showing signs of a decrease of body temperature.</p>	ITP Condition # 5.24	Before commencing ground- or vegetation-disturbing activities / Entire Project	Designated Biologist	
21	<p><u>GKR Burrow Excavation</u>. Immediately following completion of live trapping activities conducted to address Condition of Approval <u>GKR Relocation</u> (i.e., the morning following GKR trapping) and prior to commencing Covered Activities within the Project Area, the Designated Biologist, or individuals under the direct supervision of the Designated Biologist, shall fully excavate by hand all potential GKR burrows within the Project Area to be disturbed by Covered Activities. The Designated Biologist shall relocate any GKR encountered during burrow excavation to the CDFW-approved release site(s) identified in the GKR Mortality Reduction and Relocation Plan. Haystacks, seed caches, and seed stores found with a GKR during excavation shall be relocated with the associated individual GKR and shall be placed the relocated individual.</p>	ITP Condition # 5.25	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
22	<p><u>Protection of GKR Food Stores</u>. Where impacts occur that do not warrant relocation of GKR as directed by the GKR Mortality Reduction and Relocation Plan, Permittee shall leave any GKR food stores undisturbed, including but not limited to, haystacks, seed caches, or other stockpiled forage. If avoidance is not feasible, the Designated Biologist shall implement measures to keep the food stores intact, including temporary relocation of the food stores (only during daytime; seeds must be returned to original location prior to sunset), cover the seeds with plywood to allow temporary vehicle or foot-traffic access, or implement other measures developed in consultation with CDFW.</p>	ITP Condition # 5.26	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
23	<p><u>SJAS Mortality Reduction and Relocation Plan</u>. Permittee shall submit to CDFW a SJAS Mortality Reduction and Relocation Plan, prepared by the Designated Biologist(s), for CDFW review and written approval. The SJAS Mortality Reduction and Relocation Plan shall include, but not be limited to, timing; detailed burrow excavation methods; release location(s); detailed release methods (i.e., soft release, hard release, or another method); artificial burrow design and installation methods (if needed); and identification of a wildlife rehabilitation center or veterinary facility capable of and willing to treat injured SJAS. Once the SJAS Mortality Reduction and Relocation Plan is approved in writing by CDFW, it shall be used for all SJAS mortality reduction activities for the duration of the ITP. Any proposed changes to the CDFW-approved SJAS Mortality Reduction and Relocation Plan shall be submitted in writing to CDFW and approved by CDFW in writing prior to implementation of any proposed SJAS Mortality Reduction and Relocation Plan modifications.</p>	ITP Conditions # 5.27	Before commencing ground- or vegetation-disturbing activities / Entire Project	Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
24	<u>SJAS Pre-Activity Surveys and Burrow Map Reporting</u> . The Designated Biologist(s) shall perform SJAS Pre-Activity Surveys of each Project Area and 50 feet beyond the limits of the Project Area to identify, flag, and map all potential SJAS burrows no more than seven (7) calendar days prior to beginning Covered Activities in the Project Area. Permittee shall provide the Pre-Activity Survey results in a written report to CDFW at least three (3) calendar days prior to beginning Covered Activities. The report shall include, but not be limited to, methodology, date and time of survey, and the number, a discussion, and map of the locations of each potential SJAS burrow.	ITP Condition # 5.28	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
25	<u>SJAS Burrow Avoidance</u> . The Designated Biologist shall establish a no-disturbance buffer of 50 feet or greater around suspected or known to be occupied SJAS burrows within the Project Area. If the 50-foot no-disturbance buffer cannot be established, burrow excavation shall occur as described.	ITP Condition # 5.29	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
26	<u>SJAS Burrow Excavation</u> . The Designated Biologist, or an individual under the direct supervision of the Designated Biologist, shall fully excavate by hand any potential SJAS burrows present within the portion of the Project Area to be disturbed by Covered Activities. Any SJAS encountered during burrow excavation shall be allowed to escape out of harm's way to the adjacent natural habitat or the Designated Biologist shall relocate them to the CDFW approved release site identified in the approved SJAS Mortality Reduction and Relocation Plan. The Designated Biologist shall collect and relocate any dormant, lactating/nursing female, or dependent juvenile Covered Species encountered with salvageable burrow contents to an artificial burrow installed at the CDFW-approved release site.	ITP Condition # 5.30	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	
27	<u>SJKF Pre-Activity Surveys and Den Map Reporting</u> . The Designated Biologist(s) shall perform Pre-Activity Surveys for SJKF and SJKF dens (potential, known, atypical, and natal dens) no more than seven (7) calendar days prior to beginning Covered Activities in the Project Area. Pre-Activity Surveys shall include each Project Area and 50 feet beyond the limits of each Project Area to identify all potential SJKF dens as well as a buffer zone of 500 feet beyond the limits of the Project Area (where feasible) to identify SJKF dens. If the Designated Biologist identifies any SJKF dens, the den(s) shall be monitored for at least two (2) consecutive nights with tracking medium and wildlife camera to determine the current use of the den(s). Permittee shall notify the United States Fish and Wildlife Service (USFWS) and CDFW within 24 hours via e-mail if any SJKF-occupied atypical dens, known dens, or natal dens (occupied or unoccupied) are discovered within or immediately adjacent to the Project Area. Permittee shall provide the Pre-Activity Survey results in a written report to CDFW at least three (3) calendar days prior to beginning Covered Activities. The Pre-Activity Survey report shall include, but not be limited to, methodology, date and time of survey, the number, type, and status of SJKF dens, a discussion and map of the locations of each SJKF den identified.	ITP Condition # 5.31	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
28	<p><u>SJKF Den Avoidance.</u> Permittee shall establish no-disturbance buffer zones around potential, known and natal SJKF dens according to the following guidelines:</p> <ul style="list-style-type: none"> • If a potential SJKF den (any subterranean hole, three inches or larger, for which no evidence is present to conclude that the den is being used or has been used by a SJKF) is discovered, Permittee shall establish a minimum 50-foot no-disturbance buffer around the den. • If a known den (one that shows evidence of current use or was used in the past) is discovered, Permittee shall establish a minimum no-disturbance buffer of at least 100 feet around the den. • If a natal den (den in which SJKF young are reared, typically with two or more openings) is discovered, Permittee shall establish a no-disturbance buffer of at least 200 feet around the den. Natal dens with pups shall have a no-disturbance buffer of at least 500 feet. • Permittee shall notify the USFWS and CDFW's Regional Representative immediately via phone and email if any SJKF-occupied atypical dens, known dens, or natal dens are discovered within or immediately adjacent to the Project Area. An established SJKF den no-disturbance buffer may be removed once the SJKF is no longer using the area. 	ITP Condition # 5.32	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee / Designated Biologist	
29	<p><u>SJKF Den Blockage.</u> Permittee shall not destroy SJKF dens unless they are in an area of direct ground disturbance (e.g., excavation/trench area) or their location poses a risk of direct harm to SJKF individuals. Dens in areas of temporary disturbance shall remain intact and the Designated Biologist shall block the entrance by installing an object (e.g., sandbags) approved in advance in writing by CDFW to prevent SJKF from entering and utilizing the den during Covered Activities. The Designated Biologist shall remove the object immediately after Covered Activities are completed in the Project Area when the Designated Biologist has determined that potential resumed use of the den will not result in harm to SJKF. Permittee shall not destroy or modify dens that are beyond the direct footprint of ground disturbance to preempt their use and den buffer establishment.</p>	ITP Condition # 5.33	Before commencing ground- or vegetation-disturbing activities / Entire Project	Permittee / Designated Biologist	
30	<p><u>SJKF Den Excavation.</u> The Designated Biologist or individuals under direct supervision of the Designated Biologist shall excavate potential or known dens that exhibit signs of SJKF use or characteristics suggestive of SJKF dens (including dens in natural substrate and in/under man-made structures) that cannot be avoided as described above only after the Designated Biologist has determined that SJKF is not currently present after two (2) consecutive nights of monitoring with tracking medium and wildlife camera.</p> <p>Potential SJKF dens without any signs of SJKF use or characteristics suggesting it is a SJKF den may be excavated under the direct supervision of the Designated Biologist without advance tracking or camera monitoring. Natal dens shall not be excavated until the pups and adults have vacated the den and then only after concurrence from the USFWS and CDFW.</p> <p>If the excavation process reveals evidence of current use by SJKF, then den excavation shall cease immediately and tracking or camera monitoring as described above shall be conducted/resumed. Excavation of the den shall only resume when, in the judgment of the Designated Biologist, the SJKF has escaped from the partially excavated den. SJKF dens shall be carefully excavated until it is clear no individuals of SJKF are inside.</p> <p>Dens to be destroyed shall be fully excavated, filled with dirt and compacted to ensure that SJKF cannot reenter or use the den during the period that Covered Activities would occur in the Project Area. If an individual SJKF does not vacate a den within the Project Area within a reasonable timeframe, Permittee shall consult with CDFW and the USFWS to obtain written guidance from both agencies prior to proceeding with den destruction.</p>	ITP Condition # 5.34	Before commencing ground- or vegetation-disturbing activities	Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
31	<p><u>Habitat Management Land Acquisition</u>: Based on previous captures and observations of the Covered Species and the number of small mammal burrows and dens currently documented within the Project Area and vicinity, CDFW has determined that permanent protection and perpetual management of compensatory habitat is necessary and required pursuant to CESA to fully mitigate Project-related impacts of the taking on the Covered Species that will result with implementation of the Covered Activities. This determination is based on factors including an assessment of the importance of the habitat in the Project Area, the extent to which the Covered Activities will impact the Covered Species and habitat, and CDFW's estimate of the acreage required to provide for adequate compensation.</p> <p>To meet this requirement, the Permittee shall either purchase 0.4 acre of Covered Species credits from a CDFW-approved mitigation or conservation bank pursuant to Condition of Approval <u>Covered Species Credits</u> OR shall provide for both the permanent protection and management of 0.4 acre of Habitat Management (HM) lands pursuant to Condition of Approval <u>Habitat Management Lands Acquisition and Protection</u> and the calculation and deposit of the management funds pursuant to Condition of Approval <u>Endowment Fund</u>. Purchase of Covered Species credits OR permanent protection and funding for perpetual management of HM lands must be complete before starting Covered Activities, or by January 10, 2028, which is within 30 months of the effective date of the original ITP if Security is provided pursuant to Condition of Approval <u>Security</u> for all uncompleted obligations.</p>	ITP Condition # 6	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	
32	<p><u>Cost Estimates</u>. For the purposes of determining the Security amount, CDFW has estimated the cost sufficient for CDFW or its contractors to complete acquisition, protection, and perpetual management of the HM lands as follows:</p> <ul style="list-style-type: none"> • Land acquisition costs for HM lands identified in <u>Habitat Management Lands Acquisition and Protection</u>, estimated at \$7,461.50/acre for 0.4 acre: \$2,984.60. Land acquisitions costs are estimated using local fair market current value per acre for lands with habitat values meeting mitigation requirements; • All other costs necessary to review and acquire the land in fee title and record a conservation easement as described in <u>Fee Title</u> and <u>Conservation Easement</u>: \$10,111.66; • Start-up costs for HM lands, including initial site protection and enhancement costs as described in <u>Start-up Activities</u>, estimated at \$5,747.43; • Interim management period funding as described in <u>Interim Management (Initial and Capital)</u>, estimated at \$27,105.21; • Long-term management funding as described in <u>Endowment Fund</u>, estimated at \$165,409.43/acre for 0.4 acre: \$66,163.77. Long-term management funding is estimated initially for the purpose of providing Security to ensure implementation of HM lands management; and • Related transaction fees including but not limited to account set-up fees, administrative fees, title and documentation review and related title transactions, expenses incurred from other state agency reviews, and overhead related to transfer of HM lands to CDFW as described in <u>Reimburse CDFW</u>, estimated at \$12,000.00. • All costs associated with CDFW engaging an outside contractor to complete the mitigation tasks, including but not limited to acquisition, protection, and perpetual funding and management of the HM lands and restoration of temporarily disturbed habitat. These costs include but are not limited to the cost of issuing a request for proposals, transaction costs, contract administration costs, and costs associated with monitoring the contractor's work \$42,000.00. 	ITP Condition # 6.1	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
33	<p><u>Covered Species Credits.</u> If the Permittee elects to purchase Covered Species credits to complete compensatory mitigation obligations, then Permittee shall purchase 0.4 acre of Covered Species credits from a CDFW-approved mitigation or conservation bank prior to initiating Covered Activities, or no later than January 10, 2028, which is 30 months from the issuance of the original ITP if Security is provided pursuant to Condition of Approval <u>Security</u>. Prior to purchase of Covered Species credits, Permittee shall obtain CDFW approval to ensure the mitigation or conservation bank is appropriate to compensate for the impacts of the Project. Permittee shall submit to CDFW a copy of the Bill of Sale(s) and Payment Receipt prior to initiating Covered Activities or within 30 months from issuance of the ITP if Security is provided.</p> <p>OR</p>	ITP Condition # 6.2	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	
34	<p><u>Fee Title.</u> Transfer fee title of the HM lands to CDFW pursuant to terms approved in writing by CDFW. Alternatively, CDFW, in its sole discretion, may authorize a governmental entity, special district, non-profit organization, for-profit entity, person, or another entity to hold title to and manage the property provided that the district, organization, entity, or person meets the requirements of Government Code sections 65965-65968, as amended.</p>	ITP Condition # 6.3.1	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	
35	<p><u>Conservation Easement.</u> If CDFW does not hold fee title to the HM lands, CDFW shall act as grantee for a conservation easement over the HM lands or shall, in its sole discretion, approve a non-profit entity, public agency, or Native American tribe to act as grantee for a conservation easement over the HM lands provided that the entity, agency, or tribe meets the requirements of Civil Code section 815.3. If CDFW elects not to be named as the grantee for the conservation easement, CDFW shall be expressly named in the conservation easement as a third-party beneficiary. The Permittee shall obtain CDFW written approval of any conservation easement before its execution or recordation. No conservation easement shall be approved by CDFW unless it complies with Civil Code sections 815-816, as amended, and Government Code sections 65965-65968, as amended and includes provisions expressly addressing Government Code sections 65966(j) and 65967(e). Because the "doctrine of merger" could invalidate the conservation interest, under no circumstances can the fee title owner of the HM lands serve as grantee for the conservation easement.</p>	ITP Condition # 6.3.2	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	
36	<p><u>HM Lands Approval.</u> Obtain CDFW written approval of the HM lands before acquisition and/or transfer of the land by submitting, at least three months before acquisition and/or transfer of the HM lands, documentation identifying the land to be purchased or property interest conveyed to an approved entity as mitigation for the Project's impacts on Covered Species.</p>	ITP Condition # 6.3.3	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	
37	<p><u>HM Lands Documentation.</u> Provide a recent preliminary title report, Phase I Environmental Site Assessment, and other necessary documents (please contact CDFW for document list). All documents conveying the HM lands and all conditions of title are subject to the approval of CDFW, and if applicable, the Wildlife Conservation Board and the Department of General Services.</p>	ITP Condition # 6.3.4	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
38	<u>Land Manager</u> . Designate both an interim and long-term land manager approved by CDFW. The interim and long-term land managers may, but need not, be the same. The interim and/or long-term land managers may be the landowner or another party. Documents related to land management shall identify both the interim and long-term land managers. Permittee shall notify CDFW of any subsequent changes in the land manager within 30 days of the change. If CDFW will hold fee title to the mitigation land, CDFW will also act as both the interim and long-term land manager unless otherwise specified. The grantee for the conservation easement cannot serve as the interim or long-term manager without the express written authorization of CDFW in its sole discretion.	ITP Condition # 6.3.5	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	
39	<u>Start-up Activities</u> . Provide for the implementation of start-up activities, including the initial site protection and enhancement of HM lands, once the HM lands have been approved by CDFW. Start-up activities include, at a minimum: (1) preparing a final management plan for CDFW approval (see optional management plan template at https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=227736); (2) conducting a baseline biological assessment and land survey report within four months of recording or transfer; (3) developing and transferring Geographic Information Systems (GIS) data if applicable; (4) establishing initial fencing; (5) conducting litter removal; (6) conducting initial habitat restoration or enhancement, if applicable; and (7) installing signage.	ITP Condition # 6.3.6	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	
40	<u>Interim Management (Initial and Capital)</u> . Provide for the interim management of the HM lands. The Permittee shall ensure that the interim land manager implements the interim management of the HM lands as described in the final management plan and conservation easement approved by CDFW. The interim management period shall be a minimum of three years from the date of HM land acquisition and protection and full funding of the Endowment and includes expected management following start-up activities. Interim management period activities described in the final management plan shall include a baseline survey and report, fence repair, continuing trash removal, site and Covered Species monitoring, and vegetation and invasive species management. Permittee shall either (1) provide Security to CDFW for the minimum of three years of interim management that the land owner, Permittee, or land manager agrees to manage and pay for at their own expense, (2) establish an escrow account with written instructions approved in advance in writing by CDFW to pay the land manager annually in advance, or (3) establish a short-term enhancement account with CDFW or a CDFW-approved entity for payment to the land manager..	ITP Condition # 6.3.7	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
41	<p><u>Endowment Fund</u>. If the Permittee elects to provide for the acquisition, permanent protection, and perpetual management of HM lands to complete compensatory mitigation obligations, then the Permittee shall ensure that the HM lands are perpetually managed, maintained, and monitored by the long-term land manager as described in the ITP, the conservation easement, and the final management plan approved by CDFW. After obtaining CDFW approval of the HM lands, Permittee shall provide long-term management funding for the perpetual management of the HM lands by establishing a long-term management fund (Endowment). The Endowment is a sum of money, held in a CDFW-approved fund that is permanently restricted to paying the costs of long-term management and stewardship of the mitigation property for which the funds were set aside, which costs include the perpetual management, maintenance, monitoring, and other activities on the HM lands consistent with the ITP, the conservation easement, and the management plan required by Condition of Approval <u>Start-up Activities</u>. Endowment as used in the ITP shall refer to the endowment deposit and all interest, dividends, other earnings, additions and appreciation thereon. The Endowment shall be governed by the ITP, Government Code sections 65965-65968, as amended, and Probate Code sections 18501-18510, as amended.</p> <p>After the interim management period, Permittee shall ensure that the designated long-term land manager implements the management and monitoring of the HM lands according to the final management plan. The long-term land manager shall be obligated to manage and monitor the HM lands in perpetuity to preserve their conservation values in accordance with the ITP, the conservation easement, and the final management plan. Such activities shall be funded through the Endowment.</p>	ITP Condition # 6.4	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	
42	<p><u>Identify an Endowment Manager</u>. The Endowment shall be held by the Endowment Manager, which shall be either CDFW or another entity qualified pursuant to Government Code sections 65965-65968, as amended.</p> <p>Permittee shall submit to CDFW a written proposal that includes: (i) the name of the proposed Endowment Manager; (ii) whether the proposed Endowment Manager is a governmental entity, special district, nonprofit organization, community foundation, or congressionally chartered foundation; (iii) whether the proposed Endowment Manager holds the property or an interest in the property for conservation purposes as required by Government Code section 65968(b)(1) or, in the alternative, the basis for finding that the Project qualifies for an exception pursuant to Government Code section 65968(b)(2); and (iv) a copy of the proposed Endowment Manager's certification pursuant to Government Code section 65968(e).</p> <p>Within thirty days of CDFW's receipt of Permittee's written proposal, CDFW shall inform Permittee in writing if it determines the proposal does not satisfy the requirements of Fish and Game Code section 2081(b)(3) and, if so, shall provide Permittee with a written explanation of the reasons for its determination. If CDFW does not provide Permittee with a written determination within the thirty-day period, the proposal shall be deemed consistent with Section 2081(b)(3).</p>	ITP Condition # 6.4.1	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	
43	<p><u>Calculate the Endowment Funds Deposit</u>. After obtaining CDFW written approval of the HM lands, long-term management plan, and Endowment Manager, Permittee shall prepare an endowment assessment (equivalent to a Property Analysis Record (PAR)) to calculate the amount of funding necessary to ensure the long-term management of the HM lands (Endowment Deposit Amount). Note that the endowment for the easement holder should not be included in this calculation. The Permittee shall submit to CDFW for review and approval the results of the endowment assessment before transferring funds to the Endowment Manager.</p>	ITP Condition # 6.4.2	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
44	<p><u>Capitalization Rate and Fees.</u> Permittee shall obtain the capitalization rate from the selected Endowment Manager for use in calculating the endowment assessment and adjust for any additional administrative, periodic, or annual fees.</p>	ITP Condition # 6.4.2.1	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	
45	<p><u>Endowment Buffers/Assumptions.</u> Permittee shall include in the endowment assessment assumptions the following buffers for endowment establishment and use that will substantially ensure long-term viability and security of the Endowment:</p> <ul style="list-style-type: none"> i) <u>10 Percent Contingency.</u> A 10 percent contingency shall be added to each endowment calculation to hedge against underestimation of the fund, unanticipated expenditures, inflation, or catastrophic events. ii) <u>Three Years Delayed Spending.</u> The endowment shall be established assuming spending will not occur for the first three years after full funding. iii) <u>Non-annualized Expenses.</u> For all large capital expenses to occur periodically but not annually such as fence replacement or well replacement, payments shall be withheld from the annual disbursement until the year of anticipated need or upon request to Endowment Manager and CDFW. 	ITP Condition # 6.4.2.2	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	
46	<p><u>Transfer Long-term Endowment Funds.</u> Permittee shall transfer the long-term endowment funds to the Endowment Manager upon CDFW approval of the Endowment Deposit Amount.</p>	ITP Condition # 6.4.3	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	
47	<p><u>Management of the Endowment.</u> The approved Endowment Manager may pool the Endowment with other endowments for the operation, management, and protection of HM lands for local populations of the Covered Species but shall maintain separate accounting for each Endowment. The Endowment Manager shall, at all times, hold and manage the Endowment in compliance with the ITP, Government Code sections 65965-65968, as amended, and Probate Code sections 18501-18510, as amended.</p> <p>Notwithstanding Probate Code sections 18501-18510, the Endowment Manager shall not make any disbursement from the Endowment that will result in expenditure of any portion of the principal of the endowment without the prior written approval of CDFW in its sole discretion. Permittee shall ensure that this requirement is included in any agreement of any kind governing the holding, investment, management, and/or disbursement of the Endowment funds.</p> <p>Notwithstanding Probate Code sections 18501-18510, if CDFW determines in its sole discretion that an expenditure needs to be made from the Endowment to preserve the conservation values of the HM lands, the Endowment Manager shall process that expenditure in accordance with directions from CDFW. The Endowment Manager shall not be liable for any shortfall in the Endowment resulting from CDFW's decision to make such an expenditure.</p>	ITP Condition # 6.4.4	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
48	<p><u>Reimburse CDFW</u>. Permittee shall reimburse CDFW for all reasonable costs incurred by CDFW related to issuance and monitoring of the ITP, including but not limited to transaction fees, account set-up fees, administrative fees, title and documentation review and related title transactions, costs incurred from other state agency reviews, and overhead related to transfer of HM lands to CDFW.</p>	<p>ITP Condition # 6.5</p>	<p>Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)</p>	<p>Permittee</p>	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
49	<p><u>Security</u>: The Permittee may proceed with Covered Activities only after the Permittee has ensured funding (Security) to complete any activity required by Condition of Approval <u>Habitat Management Land Acquisition</u> that has not been completed before Covered Activities begin. Permittee shall provide Security as follows:</p> <ul style="list-style-type: none"> • <u>Security Amount</u>. The Security shall be in the amount of \$166,112.67. This amount is determined by CDFW based on the cost estimates identified in Condition of Approval <u>Cost Estimates</u>, sufficient for CDFW or its contractors to complete land acquisition, property enhancement, startup costs, initial management, long-term management, and monitoring. • <u>Security Form</u>. The Security shall be in the form of an irrevocable letter of credit (see Attachment 3) or another form of Security approved in advance in writing by CDFW's Office of the General Counsel. • <u>Security Timeline</u>. The Security shall be provided in draft form to CDFW's Regional Representative for review and approval prior to execution. Permittee shall fully execute the CDFW-approved Security within 30 days after issuance of the Amended ITP. • <u>Security Holder</u>. The Security shall be held by CDFW or in a manner approved in advance in writing by CDFW. • <u>Security Transmittal</u>. Permittee shall transmit security to CDFW by way of an approved instrument such as an escrow agreement, irrevocable letter of credit, or other. • <u>Security Drawing</u>. The Security shall allow CDFW to draw on the principal sum if CDFW, in its sole discretion, determines that the Permittee has failed to comply with the Conditions of Approval of the Amended ITP. • <u>Security Release</u>. The Security (or any portion of the Security then remaining) shall be released to the Permittee after CDFW has conducted an on-site inspection and received confirmation that all secured requirements have been satisfied, as evidenced by: <p><u>Credit Purchase</u></p> <ul style="list-style-type: none"> • Copy of Bill of Sale(s) and Payment Receipt(s) for the purchase of Covered Species credits; and • Timely submission of all required reports. <p>OR</p> <p><u>Habitat Management Land Acquisition</u></p> <ul style="list-style-type: none"> • Written documentation of the acquisition of the HM lands; • Copies of all executed and recorded conservation easements; • Written confirmation from the approved Endowment Manager of its receipt of the full Endowment; and • Timely submission of all required reports. <p>Even if Security is provided, the Permittee must complete the required acquisition, protection and transfer of all HM lands and record any required conservation easements no later than January 10, 2028 which is 30 months from the effective date of the original ITP. CDFW may require the Permittee to provide additional HM lands and/or additional funding to ensure the impacts of the taking are minimized and fully mitigated, as required by law, if the Permittee does not complete these requirements within the specified timeframe.</p>	ITP Condition # 7	Before commencing ground- or vegetation-disturbing activities (or within 18 months of ITP issuance if Security is provided)	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
DURING CONSTRUCTION					
50	<p><u>Designated Biologist/Designated Monitor Authority.</u> To ensure compliance with the Conditions of Approval of the ITP, the Designated Biologist(s)/Designated Monitor(s) shall immediately stop any activity that does not comply with the ITP and/or order any reasonable measure to avoid the unauthorized take of an individual of the Covered Species. Permittee shall provide unfettered access to the Project Site and otherwise facilitate the Designated Biologist(s)/Designated Monitor(s) in the performance of his/her duties. If the Designated Biologist(s)/Designated Monitor(s) are unable to comply with the ITP, then the Designated Biologist(s)/Designated Monitor(s) shall notify the CDFW Representative immediately. Permittee shall not enter into any agreement or contract of any kind, including but not limited to non-disclosure agreements and confidentiality agreements, with its contractors and/or the Designated Biologist(s)/Designated Monitor(s) that prohibit or impede open communication with CDFW, including but not limited to providing CDFW staff with the results of any surveys, reports, or studies or notifying CDFW of any non-compliance or take. Failure to notify CDFW of any non-compliance or take or injury of a Covered Species as a result of such agreement or contract may result in CDFW taking actions to prevent or remedy a violation of the ITP.</p>	ITP Condition # 3.3	Entire Project	Designated Biologist / Designated Monitor	
51	<p><u>Construction Monitoring Documentation.</u> The Designated Biologist(s) and Designated Monitor(s) shall maintain construction-monitoring documentation on-site in either hard copy or digital format throughout the construction period, which shall include a copy of the ITP with attachments and a list of signatures of all personnel who have successfully completed the education program. Permittee shall ensure a copy of the construction-monitoring documentation is available for review at the Project site upon request by CDFW.</p>	ITP Condition # 3.5	Entire Project	Designated Biologist / Designated Monitor	
52	<p><u>Erosion Control Materials.</u> Permittee shall prohibit the use of any plastic-based erosion control materials or materials that can be potentially harmful to Covered Species and other species, such as monofilament netting (erosion control matting) or similar material, in potential Covered Species' habitat.</p>	ITP Condition # 3.8	Entire Project	Permittee	
53	<p><u>Dogs.</u> Permittee shall prohibit domestic dogs from the Project Area and site access routes during Covered Activities, except those in the possession of authorized security personnel or local, State, or federal law enforcement officials.</p>	ITP Condition # 3.9	Entire Project	Permittee	
54	<p><u>Fire Prevention.</u> Permittee shall implement fire prevention measures during Covered Activities including, but not limited to: (1) equipping all motorized vehicles with spark arrestors when working in designated State Responsibility Areas; (2) ensuring water-filled backpack pumps, shovels, shields, and fire-resistant mats and/or windscreens are available on site during grinding and welding operations; (3) prohibiting welding operations during "red flag" conditions as determined by the California Department of Forestry and Fire Protection; (4) equipping all fuel trucks with an appropriate fire extinguisher; and (5) ensuring that flammable materials are cleared from parking and storage areas. Personnel shall be trained regarding the fire hazards for wildlife as part of the worker education program.</p>	ITP Condition # 3.10	Entire Project	Permittee	
55	<p><u>Project Access.</u> Project-related personnel shall access the Project Area using existing routes and shall not cross Covered Species' habitat outside of or en route to the Project Area. Permittee shall restrict Project-related vehicle and equipment ingress and egress to established roads, staging, and parking areas. Permittee shall ensure that vehicle speeds do not exceed 15 miles per hour to avoid Covered Species on or traversing the roads. If Permittee determines construction of routes for travel are necessary outside of the Project Area, the Designated Representative shall contact CDFW for written approval before carrying out such an activity. CDFW may require an amendment to the ITP, among other reasons, if additional take of Covered Species will occur as a result of the Project modification.</p>	ITP Condition # 3.13	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
56	<u>Staging Areas</u> . Permittee shall confine all Project-related parking, storage areas, laydown sites, equipment storage, and any other surface-disturbing activities to previously disturbed areas within the Project Area to the greatest extent possible, except as described in the Project Description section of the ITP. Permittee shall not use or cross Covered Species' habitat outside of the marked Project Area unless provided for as described in Condition of Approval <u>Project Access</u> .	ITP Condition # 3.14	Entire Project	Permittee	
57	<u>Hazardous Waste</u> . Permittee shall immediately stop and, pursuant to pertinent state and federal statutes and regulations, arrange for repair and clean up by qualified individuals of any fuel or hazardous waste leaks or spills at the time of occurrence, or as soon as it is safe to do so. Permittee shall exclude the storage and handling of hazardous materials from the Project Area and shall properly contain and dispose of any unused or leftover hazardous products off site.	ITP Condition # 3.15	Entire Project	Permittee	
58	<u>CDFW Access</u> . Permittee shall provide CDFW staff with reasonable access to the Project and mitigation lands under Permittee control and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in the ITP.	ITP Condition # 3.16	Entire Project	Permittee	
59	<u>Pesticide Prohibition</u> . Permittees shall not use and shall prohibit the use of pesticides including but not limited to rodenticides, herbicides, and insecticides within the Project Area without prior written approval from CDFW. This also prohibits the use of any second-generation anticoagulant rodenticide (brodifacoum, bromadiolone, difethialone, and difenacoum) and any first-generation anticoagulant rodenticide (diphacinone, chlorophacinone, and warfarin) in the Project Area.	ITP Condition # 3.18	Entire Project	Permittee	
60	<u>Notification of Non-compliance</u> . The Designated Representative or Designated Biologist shall notify CDFW by phone or email within 4 hours of the discovery if the Permittee is not in compliance with any Condition of Approval of the ITP, including but not limited to any actual or anticipated failure to implement measures within the time periods indicated in the ITP and/or this MMRP. The Designated Representative or Designated Biologist shall submit a written report to CDFW within 24 hours of the initial notification describing any non-compliance with the ITP in detail and suggested measures to remedy the situation.	ITP Condition # 4.2	Entire Project	Designated Representative / Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
61	<p><u>Compliance Monitoring.</u> The Designated Biologist shall be onsite daily for the duration of the day to monitor compliance when Covered Activities occur. If Covered Activities occur simultaneously in more than one Work Area, a Designated Biologist shall be present on site at each Work Area to conduct compliance inspections. The Designated Biologist shall conduct compliance inspections to:</p> <ol style="list-style-type: none"> (1) minimize incidental take of the Covered Species; (2) prevent unlawful take of species; (3) check for compliance with all measures of the 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. <p>During periods of inactivity or after vegetation clearing and grading have been completed, compliance inspections by the Designated Biologist may be reduced to a minimum of one day per week. Permittee shall immediately resume daily compliance inspections if the Designated Biologist or CDFW finds the Permittee is out of compliance with any Conditions of Approval of the ITP, upon written notification from CDFW, and/or if any individuals of the Covered Species, including burrows or dens are suspected or confirmed in the Project Area.</p> <p>In addition to daily compliance inspections required by this Condition of Approval, the Designated Representative and Designated Biologist(s) shall ensure that all other inspections required by the ITP are conducted at the frequencies (i.e., interval, time(s) of day, following specified weather events) required by other specific Conditions of Approval. The Designated Representative or Designated Biologist(s) shall prepare daily written observation and inspection records summarizing oversight activities and compliance inspections, observations of Covered Species and their sign, survey results, and monitoring activities required by the ITP.</p>	ITP Condition # 4.4	Entire Project	Designated Biologist / Designated Monitor / Designated Representative	
62	<p><u>Weekly Compliance Report.</u> The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in Conditions of Approval <u>Compliance Monitoring</u> and <u>Record of Covered Species Relocated</u> into a Weekly Compliance Report and submit it to CDFW along with a copy of this MMRP table with notes showing the current implementation status of each mitigation measure and education program signed acknowledgement forms. Weekly Compliance Reports shall also include an accounting of the number of acres that have been permanently and temporarily disturbed by the Project, both for the prior week, and the total since ITP issuance, if applicable; the number of acres of habitat disturbance anticipated to occur in the Project Area during the coming week, if applicable; a summary of all pre activity surveys and compliance monitoring conducted during the previous week; and the activities authorized under the Covered Activities which occurred during the previous week. Weekly Compliance Reports shall be submitted via e-mail to CDFW's Regional Representative, CDFW's Regional Office, and Headquarters CESA Program by the Monday following the week after Covered Activities commenced and every Monday thereafter. At the time of the ITP's approval, the CDFW Regional Representative is Sarah Bahm (Sarah.Bahm@wildlife.ca.gov), the CDFW Regional Office e-mail is R4CESA@wildlife.ca.gov and Headquarters CESA Program e-mail is CESA@wildlife.ca.gov. CDFW may at any time increase the timing and number of compliance inspections and reports required under this provision depending upon the results of previous compliance inspections. If CDFW determines the reporting schedule must be changed, CDFW will notify Permittee in writing of the new reporting schedule.</p>	ITP Condition # 4.6	Entire Project	Designated Representative / Designated Biologist / Permittee	
63	<p><u>CNDDDB Observations.</u> The Designated Biologist shall submit all observations of Covered Species to CDFW's California Natural Diversity Database (CNDDDB) within 10 calendar days of the observation and the Designated Biologist shall include copies of the submitted forms with the next Weekly Compliance Report.</p>	ITP Condition # 4.7	Entire Project	Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
64	<u>Notification of Take or Injury</u> . Notification of Take or Injury. Permittee shall immediately notify the Designated Biologist if a Covered Species is taken or injured by a Project-related activity, or if a Covered Species is otherwise found dead or injured within the vicinity of the Project. The Designated Biologist or Designated Representative shall provide initial notification to CDFW within 24 hours of discovery via e-mail to the CDFW Regional Representative and R4CESA@wildlife.ca.gov . The initial notification to CDFW shall include information regarding the location, species, and number of animals taken or injured, summary of next steps that will be taken, and the ITP Number. Following initial notification, Permittee shall email the CDFW Regional Representative and R4CESA@wildlife.ca.gov a written report within two calendar days. The report shall include the date and time of the finding or incident, location of the animal or carcass, photographs, steps taken after discovery, explanation as to cause of take or injury, and any other pertinent information.	ITP Condition # 4.9	Entire Project	Permittee / Designated Representative / Designated Biologist	
65	<u>Designated Biologist or Designated Monitor On Site</u> . The Designated Biologist or a Designated Monitor approved to handle GKR and SJAS shall be on site for the duration of the day during all activities that may result in the take of Covered Species.	ITP Condition # 5.1	Entire Project	Designated Biologist	
66	<u>Work Hours and Nightwork</u> . Permittee shall confine all surface- or vegetation-disturbing activities to daylight hours (sunrise to sunset) except activities occurring overnight that are specifically described in the Project Description section of the ITP. Permittee shall ensure that all vehicle traffic necessary during nighttime hours shall be conducted with extra caution to minimize impacts to nocturnal species. Permittee shall request written authorization from CDFW (email will suffice) if any additional nightwork shall occur.	ITP Condition # 5.2	Entire Project	Permittee	
67	<u>Lighting</u> . Permittee shall not install permanent lighting at the Project Area. Permittee shall not use temporary, fixed, exterior lighting, including motion-triggered security lighting between sunset and sunrise except the use of temporary light towers for activities occurring overnight specifically described in the Project Description section of the ITP, or unless authorized in writing from CDFW (email will suffice). Permittee shall ensure that all temporary, fixed, exterior lighting used within the Project Area is turned on only when people are present and shall not cast light on Covered Species habitat beyond the footprint of the Project Area.	ITP Condition # 5.3	Entire Project	Permittee	
68	<u>Equipment Fueling</u> . Permittee shall ensure that all equipment fueling and maintenance occur at least 25 feet from Covered Species burrows and dens, unless fueling and maintenance occurs within the fenced Project Area where vegetation has been removed per Condition of Approval <u>Vegetation Removal</u> and burrows and dens have been excavated per Conditions of Approval <u>GKR Burrow Excavation</u> , <u>SJAS Burrow Excavation</u> , and <u>SJKF Den Excavation</u> , or approved in advance in writing by CDFW. Permittee shall ensure that sufficient spill containment and cleanup equipment be present at all fueling locations. Permittee shall request written authorization from CDFW (email will suffice) if any additional fueling and maintenance locations are necessary outside of the Project Area.	ITP Condition # 5.5	Entire Project	Permittee	
69	<u>Vehicle Parking</u> . Permittee shall not allow vehicles to park on top of Covered Species burrows and dens. Permittee shall restrict parking to within designated staging and parking areas for which vegetation has been removed per Condition of Approval <u>Vegetation Removal</u> and burrows and dens have been excavated per Conditions of Approval <u>GKR Burrow Excavation</u> , <u>SJAS Burrow Excavation</u> , and <u>SJKF Den Excavation</u> , or within the disturbed access road as described in the Project Description section of the ITP. Vehicles and equipment parked overnight shall be located at least 50 feet from all Covered Species burrows and the applicable buffer distance from dens per Condition of Approval <u>SJKF Den Avoidance</u> , unless parking occurs within the fenced Project Area where vegetation has been removed per Condition of Approval <u>Vegetation Removal</u> and burrows and dens have been excavated per Conditions of Approval <u>GKR Burrow Excavation</u> , <u>SJAS Burrow Excavation</u> , and <u>SJKF Den Excavation</u> , or approved in advance in writing by CDFW.	ITP Condition # 5.6	Entire Project	Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
70	<u>Vehicle and Equipment Inspection</u> . Workers shall inspect for Covered Species under vehicles and equipment every time before the vehicles and equipment are moved. If a Covered Species is present, the worker shall immediately notify the Designated Biologist and wait for the Covered Species to move unimpeded to a safe location. Alternatively, the Designated Biologist(s) may move GKR and SJAS out of harm's way outside of the Project Area and in accordance with the CDFW-approved GKR Mortality Reduction and Relocation Plan or SJAS Mortality Reduction and Relocation Plan, respectively. If a trapped SJKF does not vacate of its own accord within a reasonable timeframe, the Permittee or Designated Biologist(s) shall contact CDFW, and Permittee shall get written concurrence prior to proceeding with eviction of the SJKF.	ITP Condition # 5.7	Entire Project	Permittee / Designated Biologist	
71	<u>Stockpiling Materials</u> . Permittee shall stockpile and store all materials and equipment in a manner that discourages Covered Species' use. Permittee shall not place bundled or loose materials directly on the ground in all locations. Permittee shall elevate materials to discourage use by Covered Species.	ITP Condition # 5.8	Entire Project	Permittee	
72	<u>Soil Stockpiles</u> . Permittee shall ensure that soil stockpiles are placed where soil will not pass into any other "Waters of the State," in accordance with Fish and Game Code section 5650. Permittee shall protect stockpiles to prevent soil erosion.	ITP Condition # 5.9	Entire Project	Permittee	
73	<u>Materials Inspection</u> . Workers shall thoroughly inspect all construction materials, such as pipes, culverts, or other similar structures with a diameter of one inch or greater, that are stored in the Project Area for one or more overnight periods for the Covered Species before the structure is subsequently moved, utilized, enclosed, buried, or capped. If during inspection, a Covered Species is discovered inside or under materials, workers shall immediately notify the Designated Biologist and wait for the Covered Species to move unimpeded to a safe location before moving or utilizing the structure in any way. Alternatively, the Designated Biologist(s) may move GKR and SJAS out of harm's way outside of the Project Area and in accordance with the CDFW-approved <u>GKR Mortality Reduction and Relocation Plan</u> or <u>SJAS Mortality Reduction and Relocation Plan</u> , respectively. If a trapped SJKF does not vacate of its own accord within a reasonable timeframe, the Permittee or Designated Biologist(s) shall contact CDFW, and Permittee shall get written concurrence prior to proceeding with eviction of the SJKF.	ITP Condition # 5.10	Entire Project	Permittee Designated Biologist	
74	<u>Pipes and other Structures Entrapment Prevention</u> . Permittee shall ensure that all pipes, hoses, conduits, culverts, or similar materials stockpiled or installed in the Project Area are capped or otherwise enclosed at the ends to prevent entry by Covered Species. Permittee shall not leave any permanent pipes, conduits, electrical cabinets, or similar materials or structures open where Covered Species may enter them and become trapped. The Designated Biologist and/or Designated Monitor shall thoroughly inspect all such materials for Covered Species before they are moved, utilized, enclosed, buried, or capped. If a Covered Species is discovered inside such material, that section of material shall not be moved or utilized in any way until the animal has escaped of its own accord. If a Covered Species inside such materials does not vacate of its own accord within a reasonable timeframe, CDFW shall be contacted and Permittee shall get written concurrence prior to proceeding with eviction of the Covered Species.	ITP Condition # 5.11	Entire Project	Designated Biologist / Designated Monitor / Permittee	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
75	<p><u>Excavation Inspection.</u> The Designated Biologist and/or Designated Monitor shall inspect all open trenches, holes, sumps, and other excavations within the Project Area at the beginning and end of each day when Covered Activities occur for any Covered Species that may be trapped. Project workers shall inspect all open holes, sumps, trenches, and other excavations for Covered Species immediately before they are backfilled. If any Project worker discovers that Covered Species have become trapped, the Project worker shall immediately cease all Covered Activities in the vicinity which could cause further entrapment, or injure or kill the Covered Species, and notify the Designated Biologist(s). The Designated Biologist(s) and Project workers shall allow Covered Species to move unimpeded to a safe location, if possible, before Covered Activities are allowed to continue. Alternatively, the Designated Biologist(s) may move GKR and SJAS out of harm's way outside of the Project Area and in accordance with the CDFW-approved <u>GKR Mortality Reduction and Relocation Plan</u> or <u>SJAS Mortality Reduction and Relocation Plan</u>, respectively. If a trapped SJKF does not vacate of its own accord within a reasonable timeframe, the Permittee or Designated Biologist(s) shall contact CDFW, and Permittee shall get written concurrence prior to proceeding with eviction of the SJKF.</p>	ITP Condition # 5.12	Entire Project	Permittee / Designated Biologist / Designated Monitor	
76	<p><u>Covers and Ramps.</u> Permittee shall ensure that all open trenches, holes, sumps, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope are covered when workers or equipment are not actively working in the excavation, which includes cessation of work overnight, or have installed an escape ramp of earth or a non-slip material with a less than 1:1 (45 degree) slope.</p> <p>To prevent inadvertent entrapment of the Covered Species, the Designated Biologist and/or Designated Monitor shall oversee the covering of all trenches, holes, sumps, or other excavations with sidewalls greater than 1:1 (45 degree) slope of any depth with barrier material (such as hardware cloth) at the close of each working day such that animals are unable to dig or squeeze under the barrier and become entrapped. The outer two feet of excavation cover shall conform to solid ground so that gaps do not occur between the cover and the ground and secured with soil staples or similar means to prevent gaps.</p> <p>The Designated Biologist(s) shall inspect the integrity of covers and escape ramps of trenches, holes, sumps, and other excavations once each workday (including weekends and any other non-workdays unless temporary exclusion fencing completely surrounds the Project Area to ensure that covers and ramps are in good condition, secured, and with no gaps. Designated Biologist and/or Designated Monitor shall also thoroughly inspect any trenches, holes, sumps, or other excavations that are covered long-term at the beginning of each working day to ensure inadvertent entrapment has not occurred and shall make any necessary repairs to the cover.</p>	ITP Condition # 5.13	Entire Project	Permittee / Designated Biologist / Designated Monitor	
77	<p><u>Covered Species Observations.</u> All workers shall immediately inform the Designated Biologist if a Covered Species is seen within or near a Project Area during implementation of any Covered Activity. The Designated Biologist shall stop all work in the vicinity of the Covered Species, which could harm the animal, until the Covered Species is allowed to move unimpeded from the Project Area of its own accord. Alternatively, the Designated Biologist(s) may move GKR and SJAS out of harm's way outside of the Project Area and in accordance with the CDFW-approved <u>GKR Mortality Reduction and Relocation Plan</u> or <u>SJAS Mortality Reduction and Relocation Plan</u>, respectively.</p>	ITP Condition # 5.14	Entire Project	Permittee / Designated Biologist	

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
78	<u>Covered Species Injury</u> . If any life stage of any of the Covered Species is injured or found dead within the vicinity of the Project Area, Permittees shall notify CDFW of the injury or mortality to the Covered Species immediately by email as described in the Condition of Approval <u>Notification of Take or Injury</u> . The Designated Biologist shall follow the approved <u>GKR Mortality Reduction and Relocation Plan</u> and <u>SJAS Mortality Reduction and Relocation Plan</u> to either immediately transport injured individuals to a CDFW-approved wildlife rehabilitation center or veterinary facility or follow approved collection and storage procedures for deceased animals. Permittees shall bear any costs associated with the care, treatment, recovery, and release of such injured Covered Species.	ITP Condition # 5.19	Entire Project	Permittee / Designated Biologist	
POST-CONSTRUCTION					
79	<u>Refuse Removal</u> . Upon completion of Covered Activities, Permittee shall remove from the Project Area and properly dispose of all temporary fill and construction refuse, including, but not limited to, broken equipment parts, wrapping material, cords, cables, wire, rope, strapping, twine, buckets, metal or plastic containers, and boxes..	ITP Condition # 3.17	Post-construction	Permittee	
80	<u>Final Mitigation Report</u> . No later than 30 days after completion of all mitigation measures, Permittee shall provide CDFW with a Final Mitigation Report via e-mail as described for the Weekly Compliance Reports. The Designated Biologist shall prepare the Final Mitigation Report which shall include, at a minimum: (1) a summary of all Weekly Compliance Reports; (2) a copy of the table in this 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) GIS data files documenting any changes from the temporary and/or permanent habitat impact areas associated with the GIS data files submitted as part of Condition of Approval <u>Geographic Information Systems Data Files</u> (7) an assessment of the effectiveness of the ITP's Conditions of Approval in minimizing and fully mitigating Project impacts of the taking on Covered Species; (8) 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 (9) any other pertinent information.	ITP Condition # 4.8	Post-construction and after completion of mitigation	Permittee	
80	CDFW accepts the Final Mitigation Report as complete.	ITP Condition # 4.8	Post-construction and after completion of mitigation	CDFW	

ATTACHMENT 2
Biologist Resume Form

Biologist/Botanist Resume Submittal Cover Sheet

Project Name: _____

ITP Number: _____

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

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

Number of resumes included in Transmittal: _____

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

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

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

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

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

Name of Biologist & Contact Information

Education: (include year graduated)

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

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

Species Name #1: (Example: San Joaquin Antelope Squirrel)

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

Location:

Project date completed: To and from date

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

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

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

Work description:

Estimated Survey/Trapping Hours:

Estimated Monitoring Hours:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows excavated:

Project Name #2:

Location:

Project date completed: To and from date

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

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

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

Work description:

Estimated Survey/Trapping Hours:

Estimated Monitoring Hours:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows excavated:

Project Name #3: ...

Species Name #2: (Example: San Joaquin Kit Fox)

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

Location:

Project date completed: To and from date

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

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

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

Work description:

Estimated Survey Hours:

Estimated Monitoring Hours:

Individuals Observed: # of adults and # of juveniles

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

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

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

Project Name #2:

Location:

Project date completed: To and from date

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

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

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

Work description:

Estimated Survey Hours:

Estimated Monitoring Hours:

Individuals Observed: # of adults and # of juveniles

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

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

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

Project Name #3: ...

Species Name #3: (Example: Giant Kangaroo Rat)

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

Location:

Project date completed: To and from date

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

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

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

Work description:

Estimated Trapping Hours:

Estimated Monitoring Hours:

Precincts/Burrows Observed:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows Excavated:

Project Name #2:

Location:

Project date completed: To and from date

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

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

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

Work description:

Estimated Trapping Hours:

Estimated Monitoring Hours:

Precincts/Burrows Observed:

Individuals Observed: # of adults and # of juveniles

Individuals Handled: # of adults and # of juveniles

Burrows Excavated:

Project Name #3: ...

Include any other relevant experience with the Covered Species (or related species) or implementation of Conditions of Approval in the ITP (for example, species relocation, etc.)

ATTACHMENT 3
Letter of Credit Form

Attachment 3

[Financial institution letterhead]

IRREVOCABLE STANDBY LETTER OF CREDIT
NO. **[number issued by financial institution]**

Issue Date: **[date]**

Beneficiary:

California Department of Fish and Wildlife
Habitat Conservation Planning Branch
960 Riverside Parkway, Suite 90
West Sacramento, CA 95605
Attn: HCPB Mitigation Funds

Amount: U.S. \$**[dollar number]** **[(dollar amount)]**

Expiry: **[Date]** at our counters

Dear Sirs:

1. At the request and on the instruction of our customer, **[name of applicant]** ("Applicant"), we, **[name of financial institution]** ("Issuer"), hereby establish in favor of the beneficiary, the California Department of Fish and Wildlife ("CDFW"), this irrevocable standby letter of credit ("Credit") in the principal sum of U.S. \$**[dollar number]** **[(dollar amount)]** ("Principal Sum").
2. We are informed this Credit is and has been established for the benefit of CDFW pursuant to the terms of the incidental take permit for the **[name of project]** issued by CDFW to the Applicant on **[date]** (No. **[number]**) ("Permit").
3. We are further informed that pursuant to the Permit, the Applicant has agreed to complete certain mitigation requirements in the Permit ("Mitigation Requirements").
4. We are finally informed that this Credit is intended by CDFW and the Applicant to serve as a security device for the performance by the Applicant of the Mitigation Requirements.
5. CDFW shall be entitled to draw upon this Credit only by presentation of a duly executed Certificate for Drawing ("Certificate") in the same form as Attachment A,

which is attached hereto, at our office located at [***name and address of financial institution***].

6. The Certificate shall be completed and signed by an Authorized Representative of CDFW as defined in paragraph 12 below. Presentation by CDFW of a completed Certificate may be made in person or by registered mail, return receipt requested, or by overnight courier.
7. Upon presentation of a duly executed Certificate as above provided, payment shall be made to CDFW, or to the account of CDFW, in immediately available funds, as CDFW shall specify.
8. If a demand for payment does not conform to the terms and conditions of this Credit, we shall give CDFW prompt notice that the demand for payment was not effected in accordance with the terms and conditions of this Credit, state the reasons therefore, and await further instruction.
9. Upon being notified that the demand for payment was not effected in conformity with the Credit, CDFW may correct any such non-conforming demand for payment under the terms and conditions stated herein.
10. All drawings under this Credit shall be paid with our funds. Each drawing honored by us hereunder shall reduce, *pro tanto*, the Principal Sum. By paying to CDFW an amount demanded in accordance herewith, we make no representations as to the correctness of the amount demanded.
11. This Credit will be cancelled upon receipt by us of Certificate of Cancellation, which: (i) shall be in the form of Attachment B, which is attached hereto, and (ii) shall be completed and signed by an Authorized Representative of CDFW, as defined in paragraph 12 below.
12. An Authorized Representative shall mean the Director of CDFW; the General Counsel of CDFW; a Regional Manager of CDFW; or the Branch Manager of CDFW's Habitat Conservation Planning Branch.
13. This Credit shall be automatically extended without amendment for additional periods of one year from the present or any future expiration date hereof, unless at least sixty (60) days prior to any such date, we notify CDFW in writing by registered mail, return receipt requested, or by overnight courier that we elect not to consider this Credit extended for any such period.
14. Communications with respect to this Credit shall be in writing and addressed to us at [***name and address of financial institution***], specifically referring upon such writing to this credit by number. The address for notices with respect to this Credit shall be: (i) for CDFW: Department of Fish and Wildlife, Habitat Conservation Planning Branch, 960 Riverside Parkway, Suite 90, West

Sacramento, CA 95605, Attn: HCPB Mitigation Funds; and (ii) for the Applicant:
[name and address of applicant].

15. This Credit may not be transferred.
16. This Credit is subject to the International Standby Practices 1998 ("ISP 98"). As to matters not covered by the ISP 98 and to the extent not inconsistent with the ISP 98, this credit shall be governed by and construed in accordance with the laws of the State of California.
17. This Credit shall, if not canceled, expire on **[expiration date]**, or any extended expiration date.
18. We hereby agree with CDFW that documents presented in compliance with the terms of this Credit will be duly honored upon presentation, as specified herein.
19. This Credit sets forth in full the terms of our undertaking. Such undertaking shall not in any way be modified, amended or amplified by reference to any document or instrument referred to herein or in which this Credit is referred to or to which this Credit relates and any such reference shall not be deemed to incorporate herein by reference any document or instrument.

[Name of financial institution]

By: _____
Name: _____
Title: _____
Telephone: _____

ATTACHMENT A

CERTIFICATE FOR DRAWING

[CDFW Letterhead]

[Date]

[Name and address of financial institution]

Re: Irrevocable Standby Letter of Credit No. **[number issued by financial institution]**

The undersigned, a duly Authorized Representative of the California Department of Fish and Wildlife (“CDFW”), as defined in paragraph 12 in the above-referenced standby letter of credit (“Credit”), hereby certifies to the Issuer that:

1. **[Insert one of the following statements:** “In the opinion of CDFW, the Applicant has failed to complete the Mitigation Requirements referenced in paragraph 3 of the Credit.” **or** “As set forth in paragraph 13, the Issuer has informed CDFW that the Credit will not be extended and the Applicant has not provided CDFW with an equivalent security approved by CDFW to replace the Credit.”]
2. The undersigned is authorized under the terms of the Credit to present this Certificate as the sole means of demanding payment on the Credit.
3. CDFW is therefore making a drawing under the Credit in amount of U.S. \$ _____.
4. The amount demanded does not exceed the Principal Sum of the Credit.

Therefore, CDFW has executed and delivered this Certificate as of this ___ day of **[month]**, **[year]**.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

[Insert one of the following: “Director” **or** “General Counsel” **or** “Regional Manager, **[Name of Regional Office]**” **or** “Branch Manager, Habitat Conservation Planning Branch”]

ATTACHMENT B

CERTIFICATE FOR CANCELLATION

[CDFW Letterhead]

[Date]

[Name and address of financial institution]

Re: Irrevocable Standby Letter of Credit No. **[number issued by financial institution]**

The undersigned, a duly Authorized Representative of the California Department of Fish and Wildlife ("CDFW"), as defined in the paragraph 12 in the above-referenced Irrevocable Standby Letter of Credit ("Credit"), hereby certifies to the Issuer that:

1. **[Insert one of the following statements:** "The Applicant has presented documentary evidence of full compliance with the Mitigation Requirements referenced in paragraph 3 of the Credit." **or** "The Applicant has provided CDFW with an equivalent security approved by CDFW to replace the Credit."]
2. CDFW therefore requests the cancellation of the Credit.

Therefore, CDFW has executed and delivered this Certificate for Cancellation as of this ____ day of **[month]**, **[year]**.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

[Insert one of the following: "Director" **or** "General Counsel" **or** "Regional Manager, **[Name of Regional Office]**" **or** "Branch Manager, Habitat Conservation Planning Branch"]

ATTACHMENT 4

Minor Amendment No. 1 with Track Changes

Attachment 4

Amended Incidental Take Permit No. 2081-2023-046-04
(Minor Amendment No. 1 with Track Changes)

1. The Amended ITP Background section has been amended as follows:

Amended ITP¹ Background:

On July 10, 2025, CDFW issued the original ITP No. 2081-2023-046-04 to Southern California Gas Company (Permittee), authorizing take of giant kangaroo rat (*Dipodomys ingens*), San Joaquin antelope squirrel (*Ammospermophilus nelsoni*), and San Joaquin kit fox (*Vulpes macrotis mutica*) (Covered Species) associated with and incidental to the Line 85 Mile Post 55.91 Deep Well Anode Install Project in Kern County, California (Project). The Project as described in the ITP as originally issued by CDFW included drilling new 8-inch diameter anode well to a depth of approximately 500 feet, installing associated wires within the well, capping and abandoning the existing anode well, installing and connecting the new anode wire conduits and structure wires, installing a well vent pipe, connecting electrical wires to the pipeline, and replacing the Electronic Test Station and aboveground fink head within a 0.5-acre Project Area.

On December 23, 2025, CDFW received a request from the Permittee for a minor amendment to the ITP and the corresponding fee payment. The request includes extending the expiration date for an additional 12 months, extending the timeline to complete the HM Lands requirement by an additional 12 months, and extending the timeline for submitting the security. Due to Permittee's scheduling conflicts with finalizing a Habitat Conservation Plan with the United State Fish and Wildlife Service, this work is now anticipated to begin in June 2026. CDFW finds that this Amendment (Amendment No. 1) is a Minor Amendment, as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(4). Issuance of Amendment No. 1 will not increase the amount of take of the Covered Species compared to the Project as originally approved, nor will Amendment No. 1 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 Amendment No. 1 will 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 reissues this ITP including the revised provisions in Amendment No. 1 (collectively, the Amended ITP). The Amended ITP includes all the operative provisions as of the issue 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 Amendment No. 1.

¹When this incidental take permit and attachments refer to the "ITP", it means the "Amended ITP" unless the context dictates otherwise.

2. The Effective Date and Expiration Date of this ITP section has been amended as follows:

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, 2025**, ~~2026~~.

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 Final Mitigation Report Condition of Approval of this ITP.

3. The Habitat Management Land Acquisition section has been amended as follows:

Habitat Management Land Acquisition:

* * *

To meet this requirement, the Permittee shall either purchase 0.4 acre of Covered Species credits from a CDFW-approved mitigation or conservation bank pursuant to Condition of Approval Covered Species Credits below OR shall provide for both the permanent protection and management of 0.4 acre of Habitat Management (HM) lands pursuant to Condition of Approval Habitat Management Lands Acquisition and Protection below and the calculation and deposit of the management funds pursuant to Condition of Approval Endowment Fund below. Purchase of Covered Species credits OR permanent protection and funding for perpetual management of HM lands must be complete before starting Covered Activities, or by January 10, 2028, which is within ~~18~~30 months of the effective date of ~~this~~the original ITP, if Security is provided pursuant to Condition of Approval Security below for all uncompleted obligations.

4. The Condition of Approval Covered Species Credits has been amended as follows:

Covered Species Credits. If the Permittee elects to purchase Covered Species credits to complete compensatory mitigation obligations, then Permittee shall purchase 0.4 acre of Covered Species credits from a CDFW-approved mitigation or conservation bank prior to initiating Covered Activities, or no later than ~~18~~January 10, 2028 which is 30 months from the issuance of ~~this~~the original ITP, if Security is provided pursuant to Condition of Approval Security below. Prior to purchase of Covered Species credits, Permittee shall obtain CDFW approval to ensure the mitigation or conservation bank is appropriate to compensate for the impacts of the Project. Permittee shall submit to CDFW a copy of the Bill of Sale(s) and Payment Receipt prior to initiating Covered Activities or within ~~18~~30 months from issuance of this ITP if Security is provided.

5. The Security section has been amended as follows:

Security: The Permittee may proceed with Covered Activities only after the Permittee has ensured funding (Security) to complete any activity required by Condition of Approval Habitat

Management Land Acquisition that has not been completed before Covered Activities begin. Permittee shall provide Security as follows:

* * *

Security Timeline. The Security shall be provided in draft form to CDFW’s Regional Representative for review and approval prior to execution. Permittee shall fully execute the CDFW-approved Security within 30 days after issuance of this Amended ITP.

* * *

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

* * *

Even if Security is provided, the Permittee must complete the required acquisition, protection and transfer of all HM lands and record any required conservation easements no later than 18 months January 10, 2028 which is 30 months from the effective date of the original ITP. CDFW may require the Permittee to provide additional HM lands and/or additional funding to ensure the impacts of the taking are minimized and fully mitigated, as required by law, if the Permittee does not complete these requirements within the specified timeframe.

8. The Attachments section has been amended as follows:

Attachments:

- ATTACHMENT 1 Revised Mitigation Monitoring and Reporting Program
- ATTACHMENT 2 Biologist Resume Form
- ATTACHMENT 3 Letter of Credit Form
- ATTACHMENT 4 Minor Amendment No. 1 with Track Changes