



California Department of Fish and Wildlife
South Coast Region
3883 RUFFIN ROAD
SAN DIEGO, CALIFORNIA 92123

California Endangered Species Act
Incidental Take Permit No. 2081(b)-2026-025-05

SAN DIEGO GAS & ELECTRIC WILDFIRE MITIGATION PLAN 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:	San Diego Gas and Electric
Principal Officer:	Tanzania Ware, Manager Environmental Health and Safety
Contact Person:	Tanzania Ware, (619) 679- 2058
Mailing Address:	8315 Century Park Court San Diego, California 92123

II. Effective Date and Expiration Date of this ITP:

This ITP is effective as of the date signed by CDFW below. Unless renewed by CDFW, this ITP and its authorization to take the Covered Species shall expire on July 7, 2031.

Notwithstanding the expiration date on the take authorization provided by this ITP, Permittee's obligations pursuant to this ITP do not end until CDFW accepts as complete the Permittee's Final Mitigation Report required by Condition of Approval 6.7 of this ITP.

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

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

III. Project Location:

The San Diego Gas and Electric (SDG&E) Wildfire Mitigation Plan (WMP; Project) will take place along various project segments and distinct locations, along portions of SDG&E's electric distribution, transmission, and associated rights-of-way, namely C157 (Sections B-R and W-X), C75A, C44F, and 212D, as described in below and shown in the KMZ³, within the 4,300-square mile SDG&E service area within San Diego County, including areas adjacent to State Route (SR)- 94, Cleveland National Forest, Barrett Reservoir, Steele Canyon, Sweetwater River, San Diego National Wildlife Refuge, Jacumba Hot Springs, Interstate-8, along Highway (Hwy) 80, Warner Springs and SR 79. (See Figure 1).

C157 ESH

C157 consists of sections B-R and W-X. Sections C-R are located within the eastern portion of San Diego County, in areas adjacent to SR -94. Sections W-X are located northeast of the other C157 sections within Cleveland National Forest. Access to sites would vary depending on site conditions and work activity. Access to work areas includes existing paved access roads, existing unpaved access roads, footpaths, overland travel, and helicopter landing zones. WMP activities are anticipated to occur in 2026 and 2027.

FiRM (Fire Risk Mitigation) C157 Section E

FiRM C157 Section E occurs east of Lyons Valley Road, west of Barrett Reservoir. Access to sites will vary depending on site conditions and work activity. Access to the work areas is from Barrett Lake Road and primarily require footpath access. WMP activities are anticipated to occur in 2026 and 2027.

FiRM C157 Section F

FiRM C157 Section E occurs south of Barrett Reservoir. Access to sites would vary depending on site conditions and work activity. Access to the work areas is from Barrett Lake Road and will primarily require footpath access. WMP activities are anticipated to occur in 2026 and 2027.

ESH (Electric System Hardening) C75A

ESH C75A Covered Conductor replacement occurs in Rancho San Diego near Steele Canyon, adjacent to the Sweetwater River and San Diego National Wildlife Refuge. Access to sites would vary depending on site conditions and work activity. Vehicle access will be via private dirt roads and footpath access off SR 94. WMP activities are anticipated to occur in 2026 and 2027.

C75A Overhead (OH) Remove From Service (RFS)

C75A Overhead RFS occurs in Rancho San Diego near Steele Canyon, adjacent to the Sweetwater River and SR 94. Access to sites would vary depending on site conditions and work activity. This

³ Because of the large geographical extent of SDG&E's WMP activities, detailed hard copy maps of each project site have not been included herein. Rather, a digital map file (.KMZ format) has been provided in order to review the work areas in more detail. This KMZ file is available at CDFW.

section is bisected by Jamacha Boulevard and the Sweetwater River. Vehicle access will be via private dirt roads and footpath access off SR 94 and Jamacha Boulevard. WMP activities are anticipated to occur in 2026 and 2027.

ESH C444F

ESH C444F occurs west of Jacumba Hot Springs, south of Interstate 8 and along Old Hwy 80. Access to sites would vary depending on site conditions and work activity. Vehicle access will be via private dirt roads and footpath access off dirt roads along Old Hwy 80. WMP activities are anticipated to occur in 2026 and 2027.

ESH C212D

ESH 212D occurs 8 miles north of Warner Springs, adjacent to SR-79. Access to sites would vary depending on site conditions and work activity. Vehicle access will be via private dirt roads and footpath access off SR-79. WMP activities are anticipated to occur in 2026 and 2027.

IV. Project Description:

The Project includes SDG&E conducting wildfire risk reduction activities within its service area during the next five years as outlined by the WMP described below. WMP activities occur at discrete locations as necessary to minimize the risk of SDG&E electrical lines and equipment causing ignitions of brush and fuel that can lead to catastrophic wildfire. There are 25 WMP project areas proposed for coverage under this ITP, totaling 0.21 acres of permanent impacts and 5.17 acres of temporary impacts due to ongoing, routine operations and maintenance activities. Project activities include pole replacements, installation of new treated wood or steel poles and associated equipment, pole remove from service (RFS), pole brushing, overhead work, anchor and guy wire work, trenching, overland travel, vegetation management, wildfire fuels management, geotechnical failure protection and remediation, access roads and slope management, habitat management, footpath access, stringing sites, staging yards and/or helicopter landing zones to support and access the WMP activity work areas. Equipment to complete WMP activities described below may include, but is not limited to, backhoe, dump trucks, concrete trucks, jack hammers, flatbed trucks, pick-up trucks, water trucks, mowers, helicopters, excavation equipment, paving equipment, truck-mounted cranes and augers, bucket trucks and underground/overhead line trucks. The impacts associated with the use of this equipment, including outriggers for stabilization, have been incorporated into the standard impact sizes for each routine, on-going operations and maintenance WMP activity described below. These activities are described in detail below.

Distribution/Transmission New Poles and Pole Replacements

This activity includes installation and/or replacement of existing poles with treated wood or steel poles for fire hardening purposes. Poles or towers may support a variety of equipment such as conductors, insulators, switches, transformers, lightning arresters, line junctions, and other electrical equipment. During pole installation or pole replacement, this equipment may need to be added,

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repaired, or replaced to maintain uniform, adequate, and safe service, defined as overhead work/pole top work.

Distribution/Transmission Pole Overhead Work/Pole-Top Work

Pole top work, or overhead work, refers to activities conducted on existing SDG&E facilities such as removal, installation, or replacement of cross-arms, transformers, insulators, equipment, and conductors of distribution circuits or transmission lines. This activity is primarily conducted above ground and includes access to the pole via a footpath, overland travel, or use of existing access roads. Utility workers access the top of poles using a bucket-truck or by climbing the pole.

Anchor and Guy Wire Work

Anchors and guy wires are used to support poles. Generally, one end of a guy wire attaches to the upper portion of a pole. The other end attaches to an anchor buried in the ground at varying distances from the pole base. These anchors can be in or out of alignment with the pole line. Anchor and guy wire work would include anchor installation, anchor replacement, anchor RFS, and anchor guy wire replacement to maintain pole stability. Anchor removal involves cutting the anchor connection just below ground level and removing the guy wire or digging and removing the anchor.

Distribution Pole Remove from Service (RFS)

RFS activities can include, but are not limited to removal of entire poles, as well as associated conductor, risers, or anchors from service. RFS activities are either associated with new pole replacement or relocation of circuits underground for fire risk mitigation.

Electrical Underground Trenching & Equipment

Trenching is required in order to install, replace, reposition, or repair underground facilities. The width of the trench is dependent on the depth of the underground facility and the stability of the side slopes. Underground facilities are typically buried 3 feet to 5 feet deep. Facilities buried over 5 feet deep require side slopes of 1:1 or the use of shoring. Installation of concrete pads to support transformers and other electrical equipment may be necessary. In addition, installation of underground or at-grade concrete vault boxes for servicing or installation of underground electrical equipment may be necessary. The size of these activities will vary; however, the concrete pads and vault boxes are considered permanent impacts.

Geotechnical Failure Protection and Remediation

Geotechnical remediation is necessary when a condition reflecting a geotechnical failure is clear, imminent or has occurred and threatens the integrity of a facility. Preventative maintenance includes slope reconstruction and the repair or addition of drainage structures and retaining walls. Access is needed to various sites proposed for electrical substations and gas regulator stations.

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Vegetation Management

Vegetation is managed within and adjacent to all SDG&E facilities, including but not limited to, overhead electric lines, wood poles, substations and regulators, access roads, drainage structures, areas around transformers, and buildings. Vegetation is controlled to facilitate the use of roads, allow inspection and maintenance of infrastructure and facilities, expose hazards such as ruts to vehicle operators, eliminate noxious weeds, prevent fires, and provide safe working areas. Vegetation control methods include hand or mechanical removal.

Pole Brushing

Pole brushing includes complete removal of brush from the base of wood poles in a circular fashion where overhead equipment may cause fires.

Wildfire Fuels Management

Wildfire fuels management reduces the fire fuel load around distribution and transmission lines. It is conducted inside and outside of SDG&E ROWs, when determined necessary and beneficial. Reduction of fire fuel loads may additionally reduce the intensity of wildfires that pass through facility easements and ROWs.

Wildfire fuels management differs from standard vegetation management practices because it focuses on removal of nonnative species, which rapidly spread along utility corridors. Reduction of nonnatives also reduces the dead/down woody vegetation that provide fuel for wildfire. In some cases, wildfire fuels management may involve the thinning of specific native species with a focus on preserving habitat value and native species diversity; this leaves the treated areas in an early successional state that maintains biodiversity and ecological function. Designated wildfire fuels management areas can also receive annual weed maintenance, which allow establishment of native annual plant species that do not significantly add to the fuel load.

The objectives of Wildfire Fuels Management, in order of priority, are:

- (1) removal of nonnative vegetation, especially fire-promoting species,
- (2) removal of dead/down woody vegetation, and
- (3) thinning of select native vegetation in treatment areas with a focus on preserving habitat value and native species diversity.

In locations where native thinning is conducted, only commonly occurring or dominant native species within a given vegetation community will be targeted for thinning. This is to ensure that native plant diversity within treated areas do not change between the pre-treatment and post-treatment conditions. Additionally, host plant and floral resources for sensitive species will be avoided as much as possible.

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Habitat Management

Management includes a range of activities, such as fencing installation and management; signage installation and management; litter removal; restoration; enhancement; and weed removal as defined in the Low Effect Conservation Plan (HCP) (USFWS 2023).

Slopes

Slopes are cut and filled to create pads and foundations for utility structures or access roads. Slopes may require erosion repair.

Road Maintenance

SDG&E uses and maintains a widespread system of roads to access SDG&E facilities. Because WMP Activities follow existing power line alignments, construction access to structure sites is generally available via existing access roads. Roads are maintained for access as necessary for safe access during patrol, inspections, and WMP Activities.

Overland Travel and Footpaths

Where no preexisting road or path is present or where access is substantially overgrown, overland routes and footpaths are used. Overland travel includes vehicle routes off road that do not require grading and have a maximum width of 16 feet; vegetation trimming and/or mowing may occur for vehicle safety. Foot path access is defined as walking to work areas from an existing access road or path that does not have a defined path and has a maximum width of 7 feet. Safety concerns will be addressed by temporarily grading access routes or set-up locations. For example, limited grading is required where the setup area is uneven, and helicopter access is not feasible.

Reconductoring/Stringing Sites

Reconductoring activities install new conductors on existing poles, which is considered pole-top work and generally does not result in ground disturbance. Impacts occur only where poles are replaced or at temporary stringing sites. Stringing sites would be used to facilitate reconductoring. These temporary work areas are located at the ends of straight power line segments where the line changes direction. The sites are required for installing new conductors, tensioning the conductor to a pre-calculated level, and loading tractor-trailers with reels of conductor and trucks with tensioning equipment. Stringing sites are generally 1,350 square feet in area but vary based on site conditions. Helicopters may also be used to deliver equipment and position poles and towers, and string lines. Helicopters used for stringing lines require stringing sites 520 square feet in area. All stringing sites are returned to preconstruction conditions after use.

Staging Yards/Sites/Helicopter Landing Sites

Staging and flying yards or sites are for the temporary storage of large construction equipment and materials used in construction, maintenance, and repair activities. They can also serve as equipment turn-around areas, helicopter landing sites, equipment parking areas, component assembly areas, equipment laydown areas, equipment and material storage sites, and temporary soil stockpile sites.

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For each WMP activity described above, SDG&E has established standardized impact areas associated with each activity. These standardized impact areas and activities are described below and summarized in Table 1. The impact size of each work area has been overestimated in order to account for site-specific conditions that are unknown at this time.

Table 1. WMP Activities Standard Impacts

Feature/Work	Permanent Impacts (Square Feet)	Temporary Impacts (Square Feet)
Distribution New Pole Replacement	3	55
Transmission Pole Replacement	15	350
Distribution Pole Overhead/Pole-Top Work	0	55
Transmission Pole Overhead/Pole-Top Work	0	350
Anchor and Guy Wire Work	0	55
Distribution Pole Remove From Service (RFS)	0	55
Electrical Underground Trenching & Equipment	Varies	Varies
Geotechnical Failure Protection and Remediation	Varies	Varies
Vegetation Management	Varies	Varies
Pole Brushing*	520	None
Wildfire Fuels Management	Varies	Varies
Habitat Management	0	Varies
Slopes	Varies	Varies
Road maintenance	N/A	N/A
Overland Travel	0	16 feet wide (distance varies)
Footpath	0	7 feet wide (distance varies)
Stringing Site (approximately 15' x 90')	0	Varies
Staging Yards/Sites/Helicopter Landing Sites	Varies	Varies

*Note, where pole brushing and pole replacement are proposed, 520 square feet of permanent impacts is standard to maintain bare ground around a pole.

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

This ITP covers the following species:

<u>Name</u>	<u>CESA Status</u> ⁴
1. Quino Checkerspot Butterfly (QCB; <i>Euphydryas editha quino</i>)	Candidate ⁵
2. Crotch’s bumble bee (CBB; <i>Bombus crotchii</i>)	Candidate ⁶

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

VI. Impacts of the Taking on Covered Species:

Project activities and subsequent impacts are expected to result in the incidental take of individuals of the Covered Species. The activities described above are expected to result in incidental take of individuals of the Covered Species include initial site preparation, clearing, grading, and grubbing; staging and operating heavy equipment; excavation; trenching; digging pole holes; backfilling; installation and/or removal of structures, poles, and equipment; vehicle and foot traffic; access road regrading and repairs; handling of stockpiles and stored materials; soil compaction; vegetation clearing and trimming including grading, mowing, and grubbing; as well as other WMP activities described in the Project Description (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 the initial site preparation including clearing, grading, and grubbing; staging and operating heavy equipment; excavation; trenching; digging pole holes; backfilling; installation and/or removal of structures, poles, and equipment; vehicle and foot traffic; access road regrading and repairs; handling of stockpiles and stored materials; soil compaction; vegetation clearing and trimming including grading, mowing, and grubbing; as well as other WMP activities described in the Project Description.

CBB: All elements of the underground colony, including eggs, larvae, adults, individual gynes, and queens, are vulnerable to Project Activities that could result in crushing (e.g., installation or removal of structures, operating heavy equipment, vehicle, or foot traffic). Individuals foraging (above ground) are vulnerable to being struck by operating heavy equipment and vehicles.

QCB: QCB eggs, larvae, or adult individuals can be found on host plants, nectar plants, diapause shelters in or near the base of native shrubs, pupation locations low to the ground, near host plants, on other vegetation, or under rocks. They are vulnerable to Project Activities that could result in damage, crushing, or removal of their host plant, nectar plants or shelter plants. Adults may be struck or crushed by operating heavy equipment, vehicle, or foot traffic.

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

⁵The species status may change following the decision of the Fish and Game Commission to designate the species as threatened or endangered but if there is such a designation, the species will remain a Covered Species.

⁶The species status may change following the decision of the Fish and Game Commission to designate the species as threatened or endangered but if there is such a designation, the species will remain a Covered Species.

Incidental take of individuals of the Covered Species may also occur from the Covered Activities from disruption of behavior due to temporary loss of habitat from vegetation removal or trampling, or travel of overland routes or footpaths. The areas where authorized take of the Covered Species is expected to occur include: 25 WMP activities and work areas listed in Table 2, along portions of SDG&E's Transmission Corridors, Distribution Circuits, and Rights-of-Way, namely C157 (Sections B-R and W-X), C75A, C44F, and 212D, as described in the Project Location Section and shown in the KMZ, and Figure 1 (collectively, the Project Area).

Table 2. Anticipated WMP Activity Impact

WMP Activity (Circuit [C] and Section)	QCB Suitable Habitat* Impacts		CBB Suitable Habitat* Impacts	
	Permanent (sq. ft.)	Temporary (sq. ft.)	Permanent (sq. ft.)	Temporary (sq. ft.)
C157 (Section B)	0	0	3	110
C157 (Section C)	33	1,265	0	55
C157 (Section D)	6	3,325	9	5,139
C157 (Section E)	9	610	3	7,200
C157 (Section F)	0	0	0	1,310
C157 (Section G)	523	2,565	523	3,820
C157 (Section H)	3	4,110	3	5,185
C157 (Section I)	3	165	9	7,405
C157 (Section J)	3	5,400	0	0
C157 (Section K)	6	8,405	3	1,310
C157 (Section L)	9	2,675	15	4,205
C157 (Section M)	0	0	24	16,455
C157 (Section N)	562	8,815	6	2,620
C157 (Section O)	3	21,891	0	6,030
C157 (Section P)	0	0	3	165
C157 (Section Q)	3	8,820	6	3,690
C157 (Section R)	0	965	0	330
C157 (Section W)	0	4,835	0	7,565

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C157 (Section X)	3	5,833	0	1,175
FiRM C157 (Section E)	1,605	18,273	1,605	18,273
FiRM C157 (Section F)	2,119	8,260	2,119	8,260
C212 (Section D)	0	1,330	0	1,330
C444 (Section F)	45	5,400	45	5,400
C75 (Section A ESH CC)	6	840	6	840
ESH C0075 A SUG OH RFS	0	1,540	0	1,967
Total (sq. ft)	4,941	115,322	4,382	109,839
Total (acres)	0.11	2.65	0.10	2.52

The Project is expected to cause a permanent loss of 0.11 acre and temporary loss of 2.65 acres of suitable habitat for QCB. Additionally, the Project is expected to cause a permanent loss of 0.10 acre and temporary loss of 2.52 acres of suitable habitat for CBB. Suitable habitat for QCB is defined in the Low Effect HCP (2007) as follows;

“Suitable QCB Habitat is defined in this [LE HCP] Plan as shrub communities, such as coastal sage scrub, chaparral, and desert scrub, with 50 percent shrub cover or less, and the potential to support dot-seed plantain and other larval host plants. Areas that meet the shrub cover standard are excluded if the ground cover vegetation is disturbed and/or covered by understory vegetation to the extent that larval host plants do not grow. Areas of solid rock substrate and the surfaces of solidly compacted access roads which are not likely to support vegetation are also excluded. All areas of vernal pool complexes are included as Suitable QCB Habitat regardless of upland vegetation surrounding the vernal pools. Areas meeting the 50 percent shrub cover with QCB Host Plants, native herbaceous species, cryptobiotic crusts, or the potential to support any of these elements are included as Suitable QCB Habitat. Also included in Suitable QCB Habitat for this Plan are all native grasslands and non-native grasslands that show evidence of potential to support larval host plants. Evidence for a potential to support larval host plants included presence of native grasses, native wildflowers, and cryptobiotic crusts.”

Suitable CBB habitat includes upland foraging and nesting areas; these provide a diverse array of preferred nectar sources and appropriate nesting or overwintering conditions. The habitat consists of scrublands such as coastal sage scrub, chaparral, native and non-native grasslands, roadsides, and other disturbed areas that support abundant nectar-producing plants. Vegetated areas with a high

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diversity of nectar sources that are largely free of ground-disturbing activities are also considered suitable. Additionally, sparse open oak woodlands and disturbed areas containing suitable burrows, leaf litter, or other features that can serve as nesting or colony sites are included within suitable habitat for CBB.

Project work areas are assumed occupied by QCB and/or CBB with unavoidable impacts; however, avoidance, minimization, and mitigation measures defined below will be implemented to ensure minimization of impacts to species to the maximum extent feasible. Although Table 2 above shows the estimated square footage of impacts by circuit and section, the stated quantity of estimated impacts is not intended to be a cap on the quantity of impacts in each circuit and section. Rather, it is an approximation. Only the total by type of impact and type of species is intended to be a cap (for example, Permittee can have more than 33 square feet of permanent impacts to QCB habitat within C157 (Section C) so long as such impacts are within the total of 4,941 square feet of permanent impacts to QCB suitable habitat. Additionally, impacts of the authorized taking also include adverse impacts to the Covered Species related to temporal losses of habitat, 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, long-term effects due to temporary displacement from preferred habitat, increased competition for food and space and increased vulnerability to predation.

VII. Incidental Take Authorization of Covered Species:

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

VIII. Conditions of Approval⁷:

Unless specified otherwise, the following measures apply to all Covered Activities within the Project Area including areas used for vehicles; helicopter ingress and egress; and, staging and parking

⁷ CDFW recognizes that often there are similarities between incidental take permits that authorize take of the same species. However, each permitting situation must be assessed on a case-by-case basis, and the circumstances and context of the Project subject to this ITP are especially unique. Such unique factors include: the Permittee has historically conducted Covered Activities under a Natural Communities Conservation Plan; the Permittee has also been conducting Covered Activities under a low effect habitat conservation plan for the Covered Species for over a decade; Covered Activities are subject to mandatory requirements imposed by the California Public Utilities Commission; and unlike most projects subject to an incidental take permit which engage in covered activities and then are done, activities under this

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. ESA Compliance:** Permittee shall implement and adhere to the terms and conditions related to the Covered Species in the SDG&E Habitat Conservation Plan Amendment (August 2023) (Permit No. ESPER4956429), the SDGE&E Quino Checkerspot Butterfly Low Effect HCP (TE162969-0) and the Intra-Service Formal Section 7 Consultation for the Issuance of an Amendment to the San Diego Gas and Electric's Endangered Species Act Section 10(a)(1)(B) Permit (PRT-809637) for the Subregional Habitat Conservation Plan Amendment, San Diego County and Portions of Orange and Riverside Counties, California (official Biological Opinion No. 23-0101396_S7-FR_SD) for the Project pursuant to the Federal Endangered Species Act (ESA). For purposes of this ITP, where the terms and conditions for the Covered Species in the federal authorization are less protective of the Covered Species or otherwise conflict with this ITP, the conditions of approval set forth in this ITP shall control.
- 3. 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.
- 4. General Provisions:**
 - 4.1. Designated Representative.** Before starting Covered Activities, Permittee shall identify a 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.
 - 4.2. Designated Biologist(s), and/or Biological Monitor(s).** Permittee shall submit to CDFW in writing the name, qualifications, business address, and contact information of the Designated Biologist(s) and Biological Monitor(s) using the Biologist Resume Form Attachment 2 or another format containing the same information before starting Covered Activities. Permittee shall ensure that the Designated Biologist(s) and Biological Monitor(s) are knowledgeable and experienced with the biology, identification, and current species-specific protocols or guidance for surveys of the Covered Species. The Designated Biologist(s) and Biological Monitor(s) shall be responsible for conducting pre-activity surveys, preparing and delivering the worker environmental education awareness program

ITP will occur well into the future thereby necessitating future take authorization once this ITP expires. For these reasons, the conditions of approval in this ITP may differ significantly from those in other incidental take permits for the same underlying species.

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(Condition of Approval 5.4 below), monitoring Covered Activities, and implementing all Conditions herein to minimize and fully mitigate or avoid the incidental take of individual Covered Species and to minimize disturbance of Covered Species' habitat. Permittee shall obtain CDFW approval of the Designated Biologist(s) and Biological Monitor(s) in writing before starting Covered Activities and shall also obtain approval in advance, in writing, if the Designated Biologist(s) or Biological Monitor(s) must be changed.

- 4.3. Designated Biologist Authority.** To ensure compliance with the Conditions of Approval of this ITP, the Designated Biologist 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 any Project Site and otherwise facilitate the Designated Biologist in the performance of his/her duties. If the Designated Biologist is unable to comply with the ITP, then the Designated Biologist or Designated Representative shall notify the CDFW Representative immediately. Permittee shall not enter into any agreement or contract of any kind, including but not limited to non-disclosure agreements and confidentiality agreements, with its contractors and/or the Designated Biologist that prohibit or impede open communication with CDFW, including but not limited to providing CDFW staff with the results of any surveys, reports, or studies or notifying CDFW of any non-compliance or take. Failure to notify CDFW of any non-compliance or take or injury of a Covered Species as a result of such an agreement or contract may result in CDFW taking actions to prevent or remedy a violation of this ITP.
- 4.4. Worker Education Awareness Program.** Permittee shall conduct a Worker Education Awareness Program (WEAP) for all persons employed or otherwise working in the Project Area before performing any work. The WEAP shall consist of a presentation from the Designated Biologist that includes a discussion of the ecology of the Covered Species, information about the distribution and habitat requirements of the Covered Species, sensitivity of the Covered Species to human activities, its status pursuant to CESA including legal protection, recovery efforts, penalties for violations and Project-specific protective measures described in this ITP. The WEAP will train all workers to inform the Designated Biologist(s) if a Covered Species is seen within or near the work area during implementation of Covered Activities. All work in the vicinity of the Covered Species that could harm the Covered Species will cease until the Covered Species moves unimpeded to a safe location. Standard impact sizes for permanent and temporary impacts based on Covered Activities will be described and provided to workers to implement at their work areas. Permittee shall prepare and distribute a fact sheet handout containing this information for workers to carry in the work area. Permittee shall provide interpretation for non-English speaking workers, and the same instruction shall be provided to any new workers before they are authorized to perform work. Upon completion of the WEAP, employees shall sign a form stating they attended the WEAP and understand all protection measures. Temporary personnel (e.g., delivery drivers) requiring access to a work area shall be accompanied at all times by a trained site representative or the Designated biologist. This training shall be repeated at

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least once annually for long-term and/or permanent employees that will be conducting work in the Project Area.

- 4.5. Construction Monitoring Documentation.** The Designated Biologist(s) and Biological Monitor(s) shall maintain construction-monitoring documentation on-site in either hard copy or digital format throughout the construction period, which shall include a copy of this ITP with attachments and a list of signatures of all personnel who have successfully completed the WEAP. Permittee shall ensure a copy of the construction-monitoring documentation is available for review at the Project site upon request by CDFW.
- 4.6. 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 animals such as feral dogs.
- 4.7. Dust Control.** Permittee shall implement dust control measures during Covered Activities to facilitate visibility for monitoring of the Covered Species by the Designated Biologist, as well as reduce dust accumulation on Covered Species host plants and floral resources. Permittee shall keep the amount of water used to the minimum amount needed and shall not allow water to form puddles.
- 4.8. Erosion Control Materials.** Permittee shall prohibit use of erosion control materials potentially harmful to Covered Species and other species, such as monofilament netting (i.e., erosion control matting) or similar material, in potential Covered Species' habitat.
- 4.9. Project Access.** Project-related personnel shall access the Project Area using existing routes and associated public or otherwise disturbed parking areas enroute to or from the Project Area, or routes identified in the Project Description. Overland travel and temporary bypass routes may be used only where necessary to maintain access. Permittee shall ensure that all Project-related travel avoids Covered Species' habitat to the maximum extent practicable and shall limit vehicle traffic to established roads, staging, parking areas and temporary bypass routes. Vehicle speeds shall not exceed posted speed limits on paved access roads; and shall not exceed 20 miles per hour during daylight hours (sunrise to sunset), and 10 miles per hour during nighttime hours on existing unpaved access roads and temporary bypass routes. If overland travel or construction of temporary bypass routes is necessary, the Permittee shall document these activities in post-compliance reports, including the location, purpose, duration of use, and any associated impacts to habitat or Covered Species. These reports shall be made available upon CDFW request and be summarized in the ASR according to the Condition of Approval 6.4, 6.5 and 6.7 to ensure compliance tracking and impact accounting remain below the maximum allowed impacts (Table 2). 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.

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- 4.10. Staging Areas.** Permittee shall confine all Project-related parking, storage areas, laydown sites, equipment storage, and any other surface-disturbing activities to the Project area using, to the extent possible, previously disturbed areas. Overland travel and temporary bypass routes may be used where necessary to support Project activities, provided such use minimizes new disturbance and avoids Covered Species' habitat to the maximum extent practicable. Permittee shall not use or cross Covered Species' habitat outside the marked Project Area except as allowed under this ITP for overland travel or temporary bypass routes. All use of overland travel routes or temporary bypass routes outside previously disturbed areas shall be documented in post-compliance reports to ensure activities and associated impacts are tracked.
- 4.11. 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.
- 4.12. CDFW Access.** Permittee shall provide CDFW staff with reasonable access to the Project area and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in this ITP.
- 4.13. Refuse Removal.** Upon completion of Covered Activities, Permittee shall remove from the Project Area and properly dispose of all temporary fill and construction refuse, including, but not limited to, broken equipment parts, wrapping material, cords, cables, wire, rope, strapping, twine, buckets, metal or plastic containers, and boxes.

5. Monitoring, Notification and Reporting Provisions:

- 5.1. 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. The start of Covered Activities is triggered by the commencement of any Covered Activity described in this ITP.
- 5.2. Notification of Non-compliance.** The Designated Representative or Designated Biologist/Biological Monitor shall immediately notify CDFW if the Permittee is not in compliance with any Condition of Approval of this ITP, including but not limited to any actual or anticipated failure to implement measures within the time periods indicated in this ITP and/or the MMRP. The Designated Representative shall follow up within 10 calendar days with a written report to CDFW describing, in detail, any non-compliance with this ITP and suggested measures to remedy the situation.
- 5.3. Compliance Monitoring.** The Designated Biologist shall be on-site for the duration of Covered Activities. The Designated Biologist shall conduct compliance inspections to:

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

The Designated Representative or Designated Biologist 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.

- 5.4. Quarterly Compliance Report.** The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in Condition of Approval 6.3 into a Quarterly Compliance Report, along with a copy of the MMRP table with notes showing the current implementation status of each mitigation measure, and ensure a copy remains available upon request from CDFW. Compliance Reports shall be submitted upon CDFW request to the offices listed in the Notices section of this ITP and via e-mail to CDFW's Regional Representative and Headquarters CESA Program. At the time of this ITP's approval, the CDFW Regional Representative is Paola Perez (Paola.Perez@wildlife.ca.gov) and Headquarters CESA Program email is CESA@wildlife.ca.gov. CDFW may at any time increase the timing and number of compliance inspections and reports required under this provision depending upon the results of previous compliance inspections. If CDFW determines the reporting schedule must be changed, CDFW will notify Permittee in writing of the new reporting schedule.
- 5.5. Annual Status Report.** Permittee shall provide CDFW with an Annual Status Report (ASR) no later than June 1 of every year beginning with issuance of this ITP and continuing until CDFW accepts the Final Mitigation Report identified below. The ASR delivery date may be changed with mutual agreement of SDG&E and CDFW. Each ASR shall include, at a minimum: (1) a summary of all applicable pre-activity surveys for that year as identified in Conditions of Approval 6.2 and 6.6; (2) a status of the Project area and Covered Activities, including actual or projected completion dates, if known; (3) a copy of the table in the MMRP with notes showing the current implementation status of each mitigation measure; (4) an assessment of the effectiveness of each completed or partially completed mitigation measure in avoiding, minimizing and mitigating Project impacts; (5) all available information about Project-related incidental take of the Covered Species, including end-of-year acreage balance of impacts for each Covered Species and a summary of all observations recorded during surveys and biological monitoring; (6) an accounting of the number of acres subject to both temporary and permanent disturbance, both for the prior calendar year, and a total since ITP issuance; and (7) information about other Project impacts on the Covered Species. The report may also include additional compliance and implementation information including WEAP training summary, implementation challenges, mitigation fund accounting, adaptive management actions, and updated record of permit amendments.

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- 5.6. CNDDDB Observations.** The Designated Biologist shall submit all observations of Covered Species occurring on public lands, or on private lands where permission has been granted by the landowner, to CDFW's California Natural Diversity Database (CNDDDB) within 60 calendar days of the observation and the Designated Biologist shall include copies of the submitted forms with the next ASR.
- 5.7. Final Mitigation Report.** No later than 6 months after expiration of this ITP and completion of all mitigation measures, or such other date approved in writing by CDFW, Permittee shall provide CDFW with a Final Mitigation Report. The Designated Biologist shall prepare the Final Mitigation Report which shall include, at a minimum: (1) a summary of all relevant pre-activity surveys, Post- Compliance Reports, and ASRs; (2) a copy of the table in the MMRP with notes showing when each of the mitigation measures was implemented; (3) all available information about Project-related incidental take of the Covered Species; (4) information about other Project impacts on the Covered Species; (5) beginning and ending dates of Covered Activities; (6) an assessment of the effectiveness of this ITP's Conditions of Approval in minimizing and fully mitigating Project impacts of the taking on Covered Species; (7) recommendations on how mitigation measures might be changed to more effectively minimize take and mitigate the impacts of future projects on the Covered Species; and (8) any other pertinent information.
- 5.8. Notification of Take or Injury.** Permittee and subcontractors shall immediately notify the Designated Biologist if a Covered Species is taken or injured by a Project-related activity, or if a Covered Species is otherwise found dead or injured within the vicinity of the Project. The Designated Biologist or Designated Representative shall provide initial notification to CDFW by calling the Regional Office at (858) 467-4201. The initial notification to CDFW shall include information regarding the location, species, and number of animals taken or injured and the ITP Number. If possible, CDFW may request personnel salvage the specimen by freezing it and shipping it upon request. Following initial notification, Permittee shall send CDFW a written report within ten calendar days. The report shall include the date and time of the finding or incident, location of the animal or carcass, and if possible, provide a photograph, explanation as to cause of take or injury and any other pertinent information.

6. 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:

- 6.1. Covered Species- Seasonal Avoidance of Helicopter Work.** To minimize impacts to Covered Species from helicopter activities, landing sites will be sited away from suitable habitat to the greatest extent feasible. If helicopter use is required during Covered Species flight or activity seasons, helicopter operations will be planned and conducted to reduce noise, rotor wash, and disturbance near suitable, assumed occupied habitats.

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During material delivery operations, helicopters typically operate between approximately 100 and 250 feet above ground level, depending on line lengths of 100 to 150 feet for long-line work and additional rigging associated with 45- to 65-foot utility poles. For stringing and wire-pull operations, line lengths are generally 50 to 100 feet, with aircraft positioned laterally and commonly operating between approximately 125 and 250 feet above ground level (reflecting pole heights of 45 to 65 feet plus typical operating clearance of 30 to 80 feet above pole tops).

Rotor-wash wind velocities at ground level vary based on aircraft model, load weight, hover height, wind conditions, temperature, air density, terrain, and vegetation. Because these factors interact dynamically, there is no standard industry method for predicting exact ground-level wind speeds for specific hover heights. Therefore, when operations must occur during Covered Species flight seasons, helicopter flight altitudes and approaches will be selected to ensure rotor wash is minimized to the greatest extent feasible, consistent with safe utility construction practices. Height and operational adjustments will be implemented to reduce the potential for wind gusts or disturbance within suitable habitat areas.

- 6.2. Quino Checkerspot Butterfly- Pre-Activity Surveys.** Permittee is required to abide by the Low Effect HCP for QCB including pre-activity surveys and reports within suitable QCB habitat. Permittee will share with CDFW any survey data and reports upon request.
- 6.3. Quino Checkerspot Butterfly- Avoidance of Host Plants.** While most of the infrastructure within project work areas is already in place, maintenance and replacement of infrastructure shall be designed to avoid and/or minimize impacts to host plants the greatest extent feasible, including proper siting of overland travel routes, footpaths, and staging locations. To avoid take of QCB during the active larval and adult flight season (approximately February 1st through May 15th) and before starting Covered Activities, the Designated Biologist(s) will clearly delineate QCB occupied or assumed occupied host plants that occur within or adjacent to the work areas and along the ingress and egress access roads or footpaths to the work area using brightly colored signs, stakes, flags, rope, cord, etc. that are visible to Project-related personnel. The Designated Biologist(s) will inspect and maintain all such markers until the completion of Covered Activities within the vicinity of the QCB habitat, at which time the markers will be removed.

If host plants cannot be avoided during the adult flight season, the Designated Biologist will conduct a pre-activity survey prior to the initiation of Covered Activities to determine whether QCB are present. If QCB are observed utilizing host plants within the work area, work will be postponed until after the flight season concludes, whenever feasible. When work cannot be postponed (i.e., work must be completed immediately for safety and reliability concerns), Permittee will notify CDFW within 48 hours of completing the activity and describe any minimization or avoidance measures that were implemented in a post-activity compliance report.

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Permittee regularly maintains its transmission and gas line access roads and will implement the above QCB measures prior to this activity. It is anticipated that roads will be maintained (i.e., graded) at least every two years, it is expected that QCB host plants will not recolonize the roadbeds during that time. If road maintenance takes place more than two years after initial grading, or if new access roads are anticipated, impacts to QCB habitat will be considered as "new impacts" and are not authorized under this ITP.

- 6.4. Quino Checkerspot Butterfly - Compensatory Mitigation.** Project work areas described in this ITP are assumed occupied by QCB with unavoidable impacts. Permittee will provide compensatory mitigation for impacts to assumed occupied QCB habitat at a 2:1 ratio for permanent and temporary impacts. Permittee shall fully mitigate all temporary and permanent impacts to QCB through establishment of a conservation fund to 1) contribute to acquisition of conservation lands that contains suitable QCB habitat within the Southwest San Diego and South Riverside recovery units of QCB and 2) support restoration and enhancement of suitable QCB habitat on existing conserved lands. This mitigation shall be approved by CDFW prior to Covered Activities occurring within suitable QCB habitat unless Security is provided as described in Condition of Approval 8 below.
- 6.5. Crotch's Bumble Bee- Vegetation Removal.** Permittee shall avoid removing vegetation until after plants have stopped blooming in the fall and outside of the Colony Active Period and Queen Flight Season (approximately February 1 through August 31; varies based on the location/year and shall be confirmed via Condition of Approval 7.3, pre-construction surveys), to the maximum extent feasible. If vegetation will be removed during the Colony Active Period, the Permittee shall alternate vegetation removal and leave areas of refugia, to the maximum extent feasible. Vegetation marked for protection may only be trimmed with hand tools to the extent necessary to gain access to work sites.
- 6.6. Crotch's Bumble Bee- Pre-Construction Survey and Monitoring.** Prior to vegetation removal, staging, overland travel, or ground disturbing activities occurring from February 1 through August 31, a Designated Biologist shall conduct a pre-construction survey within suitable habitat. The pre-construction survey shall be conducted no more than 10 days prior to the commencement of project activities. If feasible, surveys shall be conducted when ambient temperatures are between 60- and 90-degrees Fahrenheit with sustained wind speeds measuring less than 10 miles per hour and on partly to full sunny days. If project activities are conducted during the Queen Flight Season (February through March) or Colony Active Period (April through August), a Designated Biologist shall survey suitable CBB nesting and foraging habitat to determine CBB presence within and adjacent to the impact area. Survey duration shall be appropriate to the size of the planned impact area and follow the most recent survey guidance from CDFW⁸. Any deviation proposed from the survey guidance will require CDFW review and approval. If a CBB nest is detected or suspected, all project

⁸ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline>

activities within 50 feet of the nest shall be halted until a Designated Biologist can confirm nest status. The Designated Biologist shall delineate the 50-foot buffer and notify all workers not to enter the environmentally sensitive area. The Permittee may request a buffer size reduction to CDFW for review and approval. Additionally, a Designated Biologist shall be present to monitor all subsequent work activities in all instances when a nest is verified and a buffer is in place. The nest(s) location shall be recorded with GPS (including datum and horizontal accuracy in feet), and the Designated Biologist shall report the nest location to the CDFW Regional Representative within 24 hours of finding the nest. Hand-digging shall occur for excavation activities in areas with confirmed CBB nest sites within 30-50 feet. The nest buffer shall be maintained until the nest(s) senesce or until Project activities in the vicinity of the buffer have concluded. To confirm if a nest has senesced, the Designated Biologist shall observe nest activity for a minimum of 1 hour per day for 3 consecutive days to determine if activity has ceased.

- 6.7. Overwintering Site Buffer.** Little is known regarding the overwintering habitat used by this species, but it is speculated based on the habitats of other bumble bee species that the Crotch's bumble bee uses soft disturbed soils, debris piles, or leaf litter as overwintering sites (Xerces Society 2018). If any overwintering CBB are found during Covered Activities, the Permittee, in consultation with the Designated Biologist shall immediately stop and prohibit all Covered Activities within 20 feet of the queen and/or hibernaculum. Permittee shall delineate a 50-foot buffer and notify all workers not to enter the environmentally sensitive area. If an overwintering queen is exposed, the Designated Biologist shall cover and protect the queen bumble bee using the substrate it was found in/under and return any materials removed during surveys (e.g., grass, vegetation, bark, and debris) to re-create pre- disturbed conditions. The Designated Representative or Designated Biologist shall contact CDFW's Regional Representative within 24 hours for further consultation. The Designated Biologist shall record the queen's location with a GPS (including datum and horizontal accuracy in feet) and include photographs and a map of the queen's location as part of notification to CDFW's Regional Representative. Permittee shall increase the size and/or modify the environmentally sensitive area buffer upon notice from CDFW. Permittee shall maintain buffers until queen flight or colony active period starts, which typically occurs in the early spring, depending on the location and local climate conditions.
- 6.8. Crotch's Bumble Bee- Compensatory Mitigation.** If the timing of the project will not allow for surveys to determine the presence or absence of CBB in the work area, it will be assumed that the identified Suitable CBB nesting or overwintering habitat is occupied. Impacts to the assumed occupied CBB habitat will be mitigated at a 2:1 ratio for permanent and temporary impacts. Permittee shall fully mitigate for all temporary and permanent impacts to occupied CBB habitat through establishment of a conservation fund to

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contribute to regional acquisition and conservation of lands that contain suitable CBB habitat, and to support restoration and enhancement of pollinator habitat on existing conserved lands. This mitigation shall be approved by CDFW prior to Covered Activities occurring within suitable CBB Habitat.

6.9. Pesticide Use. Permittee shall not use pesticides such as herbicides, insecticides, or rodenticides within the Project Area. If pesticides must be used, including for habitat restoration and enhancement, Permittee shall consult with CDFW and may only use pesticides upon CDFW's written approval (see Condition of Approval 6.10 below).

6.10. Pesticide Use Plan. If pesticide use is approved by CDFW, Permittee shall submit to CDFW for its review and approval a Pesticide Use Plan to Avoid and Minimize Impacts to the Covered Species (Pesticide Use Plan). The Pesticide Use Plan shall describe Best Management Practices to avoid and minimize adverse effects of pesticide use on individuals of the Covered Species and Covered Species habitat within and adjacent to the Project Area. Permittee shall incorporate the following (at a minimum) into the Pesticide Use Plan: (1) follow best management practices described by Xerces Society's Guidance to Protect Habitat from Pesticide Contamination, California Department of Pesticide Regulation, and the University of California's Division of Agriculture and Natural Resources Statewide Integrated Pest Management Program's Best Management Practices to protect bees from pesticides; (2) avoid mixtures with adjuvants containing alkylphenol ethoxylates, organosilicones, and alcohol ethoxylates (3) avoid use of avoid pesticide products with the co-formulants N-methyl-2-pyrrolidone (NMP) and perfluorooctane sulfonate acid; (4) use targeted methods only; (5) use spot spraying only or entirely avoid spraying herbicides, when plants are in bloom to minimize direct or indirect contact with the Covered Species; (6) pesticide application shall be conducted when outside of CBB/QCB flight season to the maximum extent practicable; (7) avoid the use of pesticides marked with the U.S. Environmental Protection Agency's bee hazard icon; and (8) preferentially use chemicals that are rated green/III in the University of California Integrated Pest Management Bee Precaution Database and chemicals of the least toxic products at the least concentrated application when possible.

7. Conservation Fund Establishment: CDFW has determined establishment of a conservation fund to contribute to 1) acquisition and conservation of lands that contain suitable Covered Species habitat, and 2) support restoration and enhancement of Covered Species habitat on existing conserved lands, will fully mitigate Project-related impacts of the taking of the Covered Species that will result from implementation of the Covered Activities. This determination is based on factors including an assessment of the importance of the habitat in the Project Area, the extent to which the Covered Activities will impact the habitat, and CDFW's estimate of the protected acreage required to provide for adequate compensation. To meet this requirement, the Permittee shall provide a one-time mitigation payment into two conservation funds at the San Diego Foundation in the amount of **\$247,480.00** total; specifically, \$126,960.00 towards QCB mitigation,

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and \$120,520.00 towards CBB mitigation. Funding of the conservation fund must be complete before starting Covered Activities, or within 18 months of the effective date of this ITP if Security is provided pursuant to Condition of Approval 9 below for all uncompleted obligations. Permittee may not receive any refund of the mitigation payment. As a result, five years after the effective date of this ITP, if the total quantified habitat impacts from the Project are less than specified in Table 2 above, none of the mitigation funds will be returned to the Permittee. If Permittee anticipates the total quantified habitat impacts from the Project will be more than the quantity specified in Table 2 above, the Permittee may amend this ITP to account for those additional impacts and should seek such amendment at least six months prior to meeting anticipated impact caps/limits to capture potential increase in impacts. At the time of the amendment, CDFW retains discretion to recalculate or otherwise determine the amount of mitigation needed for the amendment, (i.e., funding requirement will be based on current rates).

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

- 8.1. Security Amount.** The Security shall be in the amount of **\$247,480.00** or in the amount identified in 9.1 specific to the obligation that has not been completed. This amount is determined by CDFW based on the cost estimates identified in Condition of Approval 8 above, sufficient for CDFW or its contractors to complete land acquisition, property enhancement, startup costs, initial management, long-term management, and monitoring.
- 8.2. Security Form.** The Security shall be in the form of an irrevocable standby letter of credit (see Attachment 3) or another form of Security approved in advance in writing by CDFW's Office of the General Counsel.
- 8.3. Security Timeline.** The Security shall be provided to CDFW before Covered Activities begin or within 30 days after the effective date of this ITP, whichever occurs first.
- 8.4. Security Holder.** The Security shall be held by CDFW or in a manner approved in advance in writing by CDFW.
- 8.5. 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.
- 8.6. Security Drawing.** The Security shall allow CDFW to draw on the principal sum if CDFW, in its sole discretion, determines that the Permittee has failed to comply with the Conditions of Approval of this ITP.
- 8.7. Security Release.** The Security shall be released to the Permittee after CDFW has received confirmation that all secured requirements have been satisfied, as evidenced by:
 - Copy of signed Fund Agreements with the San Diego Foundation
 - Copy of Payment Receipt(s)
 - Timely submission of all required reports.

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

IX. Amendment:

This ITP may be amended as provided by California Code of Regulations, title 14, section 783.6, subdivision (c), and other applicable laws. 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 either of the Covered Species or where Project changes or changed biological conditions necessitate an ITP amendment to ensure that all Project-related impacts of the taking to the Covered Species are minimized and fully mitigated.

X. Stop-Work Order:

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

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

XI. Compliance with Other Laws:

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

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XII. Notices:

Written notices, reports and other communications relating to this ITP shall be delivered to CDFW by email or registered first class mail at the following address, or at addresses CDFW may subsequently provide the Permittee. Notices, reports, and other communications shall reference the Project name, Permittee, and ITP Number (2081(b)-2026-025-05) in a cover letter and on any other associated documents.

Original cover with attachment(s) to:

Erinn Wilson-Olgin, Regional Manager
California Department of Fish and Wildlife
South Coast Region 5
Attn: CESA Permitting Program
3883 Ruffin Road
San Diego, CA 92123
R5CESA@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, CA 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:

Paola Perez
South Coast Region 5
3883 Ruffin Road
San Diego, CA 92123
Paola.Perez@wildlife.ca.gov
(858) 354-2413

XIII. Compliance with the California Environmental Quality Act:

CDFW determined that its issuance of this ITP is exempt from CEQA because the Project is necessary to prevent or mitigate an emergency. (See generally Pub. Resources Code, § 21080(b)(4); see also Cal. Code Regs., tit. 14, § 15269(b), (c).).

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XIV. Findings Pursuant to CESA:

These findings are intended to document CDFW's compliance with the specific findings requirements set forth in CESA and related regulations. (Fish & G. Code § 2081, 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, the results of consultations, and the administrative record of proceedings, that issuance of this ITP complies and is consistent with the criteria governing the issuance of ITPs pursuant to CESA:

- (1) Take of Covered Species as defined in this ITP will be incidental to the otherwise lawful activities covered under this ITP;
- (2) Impacts of the taking on Covered Species will be minimized and fully mitigated through the implementation of measures required by this ITP and as described in the MMRP. Measures include: (1) funding of a conservation fund for acquisition and conservation of lands that contain suitable Covered Species habitat, and, restoration and enhancement of QCB and CBB habitat on existing conserved lands;; (2) establishment of avoidance zones when feasible; (3) worker education; and (4) Quarterly Compliance Reports on file to be submitted as requested. 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 funding required to provide for adequate compensation. Based on this evaluation, CDFW determined that the establishment of a conservation fund for acquisition, conservation, restoration, and management of QCB and CBB habitats on conserved land that is contiguous with other protected Covered Species habitat and 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 to the impacts of the taking authorized by this ITP;
- (4) The measures required by this ITP maintain Permittee's objectives to the greatest extent possible;
- (5) All required measures are capable of successful implementation;
- (6) This ITP is consistent with any regulations adopted pursuant to Fish and Game Code sections 2112 and 2114;
- (7) Permittee has ensured adequate funding to implement the measures required by this ITP as well as for monitoring compliance with, and the effectiveness of, those measures for the Project; and
- (8) Issuance of this ITP will not jeopardize the continued existence of the Covered Species based on the best scientific and other information reasonably available,

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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 findings are based, in part, on CDFW's express authority to amend the terms and conditions of this ITP without concurrence of the Permittee as necessary to avoid jeopardy and as required by law.

XV. Attachments:

FIGURE 1	Map of Project
ATTACHMENT 1	Mitigation Monitoring and Reporting Program
ATTACHMENT 2	Biologist Resume Form
ATTACHMENT 3	Letter of Credit Form

ISSUED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ON JULY 7, 2026

DocuSigned by:

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Erinn Wilson-Olgin, Regional Manager
South Coast Region 5

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