



**California Department of Fish and Wildlife  
Northern Region  
601 LOCUST STREET  
REDDING, CA 96001**

California Endangered Species Act  
Incidental Take Permit No. 2081(b)-2026-047-01

**SOUTHBOUND EUREKA SLOUGH BRIDGE EMERGENCY REPAIR PROJECT**

**I. Authority:**

This California Endangered Species Act (CESA) incidental take permit (ITP) is issued by the California Department of Fish and Wildlife (CDFW) pursuant to Fish and Game Code section 2081, subdivisions (b) and (c), and California Code of Regulations, Title 14, section 783.0 et seq. CESA prohibits the take<sup>1</sup> of any species of wildlife designated by the California Fish and Game Commission as an endangered, threatened, or candidate species.<sup>2</sup> However, CDFW may authorize the take of any such species by permit pursuant to the conditions set forth in Fish and Game Code section 2081, subdivisions (b) and (c). (See Cal. Code Regs., tit. 14, § 783.4).

**Permittee:** California Department of Transportation, District 1 (Caltrans)  
**Contact Person:** Steve Croteau, (707) 572-7149, Steven.Croteau@dot.ca.gov  
**Mailing Address:** 1656 Union Street, Eureka, CA 95501

**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 **October 16, 2027**.

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 5.1 of this ITP.

**Project Location:**

The South Bound (SB) Eureka Slough Bridge Emergency Repair Project (Project) is located within the City of Eureka, Humboldt County (See Figure 1). The Project is located at the U.S. Highway 101 southbound bridge over Eureka Slough at approximately 40.805377, - 124.141053.

<sup>1</sup>Pursuant 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".])

<sup>2</sup>The 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 Description:

The Project is in response to an emergency occurring at U.S. Highway 101, Humboldt County, between post miles 79.5 and 80.2 (40.805426, -124.140744), in the City of Eureka, California. On U.S. Highway 101 South Bound (SB) Eureka Slough Bridge (Bridge No. 04-0022L), Caltrans states parts of the bridge footings have failed, compromising the foundation of the bridge. A Bridge Record of Critical Finding has been issued by Caltrans as a response to the condition of the bridge. Caltrans states these findings present a sudden, unexpected discovery, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, and essential public services. Given the extent of damage to the foundation of the bridge, Caltrans states immediate action is required. To facilitate this emergency repair, a work trestle and (if needed) a temporary detour bridge will be constructed just north of the SB Eureka Slough Bridge. This work trestle will span the full length of the slough, parallel to the bridge, to allow for potential repairs and/or installation of a temporary detour bridge, pending further investigation. Caltrans states the proposed solution is the minimum scope necessary to prevent or mitigate the loss or impairment of life, health, property, and essential services while also considering the most minimal environmental impacts practicable. On June 17, 2026, Caltrans filed a California Environmental Quality Act Notice of Exemption for this Project (SCH No. [2026060768](#)).

The work trestle for the Project will be constructed just north of the SB Eureka Slough Bridge and, if possible, repairs will be made to the existing SB Eureka Slough Bridge. If repairs to the existing bridge are not feasible or effective, a temporary detour bridge will be installed.

After completion of emergency repairs and removal of temporary emergency structures, on-site restoration and revegetation is anticipated to occur as part of the pending Eureka Slough Bridges Replacement Project. The Eureka Slough Bridges Replacement Project is currently scheduled to begin construction in the year 2030 (State Clearing House Number [2023090430](#)) and is not covered under this ITP. This emergency Project ITP unexpectedly precedes the pending, scheduled replacement of the northbound and southbound bridges.

#### Work Trestle

Construction of the Project's temporary work trestle will occur from the existing road surface and from the trestle itself to the maximum extent practicable, and all impacts will be in the form of fill to support the approaches, construction of soldier pile walls, and driven steel piles, built adjacent to the SB Eureka Slough Bridge to facilitate all emergency work. From the work trestle, investigations will continue to assess the viability of the bridge. The investigations will determine if a repair to the existing bridge will be sufficient to ensure the safety of the traveling public and stabilize the structure, or if the construction of a temporary detour bridge will be necessary.

The work trestle will span the entire length of the Eureka Slough, at approximately 900-feet in length and 44-feet in width and will be supported by round steel piles that are 2-feet in

diameter. The steel piles will span four across the width of the trestle, with approximately 30 bents, 30 feet apart, requiring a total of 120 piles. Piles will be driven or vibrated into place. Isolation casings will be used to attenuate sound during pile installation. On either end of the trestle, soldier pile retaining walls will be installed parallel to the trestle and are designed to hold fill to bring the approach to the final elevation of the work trestle and to ensure the trestle path conforms to the roadway.

At the west (Eureka) side of the Project, vegetation will be cleared along the highway, and a corrugated steel pipe culvert will be installed in a channel feature to maintain adjacent drainage flow. Once the approach has been constructed on either end of the trestle, two cranes will be used to construct the trestles, each starting from opposite sides of the slough and meeting in the middle. A crane placed on the trestle will support pile driving equipment, and haul trucks will transport the piles from a staging area to the point of construction. The piles will be placed so that they are bearing on the bottom of the slough. Once the piles are aligned, they will be driven using vibratory hammers followed by a diesel hammer to place the piles at the required depth. After two bents are placed, the deck will then be constructed, and the cranes will move along the trestle to continue building across the channel.

### **Bridge Repair**

On bent seven of the SB Eureka Slough Bridge, there are 18 wooden piles that support the concrete foundation. Of these, six have failed and are no longer supporting the bridge foundation. Tilt sensors have been installed on the bridge to monitor any movement. Not all of the bents have been properly investigated, and additional compromising damage could still be undiagnosed. Caltrans indicates investigations are ongoing and additional solutions may be needed. Accordingly, additional impacts occurring outside the Project scope considered within this ITP requires additional disclosure and coordination with CDFW, including the potential need for amendments to this ITP.

The bridge repair will utilize a crane from the trestle, booming out over the existing SB bridge to drive approximately two piles adjacent to bent seven pile cap, where the damage is located. Once the piles are installed, dowels will be drilled and bonded to the existing pile cap and a concrete cap will be installed to tie the existing bridge to the repair.

### **Temporary Detour Bridge**

In the event that emergency repairs to the existing bridge are not feasible or effective, a temporary detour bridge will be installed as part of the Project. Construction of the bridge will be similar to that of the work trestle; the approaches will be constructed from both directions simultaneously, and the bridge will then be built, working towards the middle until it is completed. Soldier pile retaining walls will be installed near the outside corners of both temporary detour bridge abutments to support the fill for the approaches. Fill will be strategically placed to minimize impacts, especially on the east side of the Project, where a

large salt marsh lies adjacent to the Project. Construction of the temporary detour bridge approaches will require placement of backfill and roadway material to achieve the appropriate grade. On the departing approach (on the east side), the required fill area will be approximately 60 feet in length by 35 feet wide. On the receiving approach (on the west side), the required fill area will be approximately 250 feet in length by 35 feet wide. All of the retaining walls will reach maximum height of 12 feet. Cast in place concrete abutments will join the bridge deck to the approaches.

The temporary bridge will require a combination of modular and pre-cast sections. The total length of the elevated structure will span approximately 1,400 feet, with 900 feet of modular sections, and 500 feet of pre-cast sections. Approximately 15 bents will be required to suspend the structure above the slough and marsh, each bent spanning approximately 100 feet, with two 48-inch cast-in-steel-shell piles. The steel shells will be driven or rotated in with vibratory and impact pile driving equipment. Once a pile has reached required elevation, the material inside will be removed with a crane-mounted clean-out tool and removed material will be placed in haul trucks to be taken to an approved offsite disposal location. After the pile is cleaned out, a steel reinforcing cage will be installed. Any water in the steel shell after cleanout will be dewatered and disposed of properly as the concrete is placed. Concrete placement will be conducted with a concrete pump truck located on the trestle with concrete haul trucks accessing the pump truck via the trestle.

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

This ITP covers the following species:

| <u>Name</u>                                         | <u>CESA Status</u> <sup>3</sup> |
|-----------------------------------------------------|---------------------------------|
| 1. Coho Salmon ( <i>Oncorhynchus kisutch</i> )      | Threatened <sup>4</sup>         |
| 2. Longfin Smelt ( <i>Spirinchus thaleichthys</i> ) | Threatened <sup>5</sup>         |

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

**V. 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 injurious hydroacoustic impacts from pile driving, and fish capture and relocation from cofferdam and pile dewatered areas (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 fish mortality from pile driving and/or dewatering and fish relocation. Incidental take of individuals of the Covered Species may also occur from the

<sup>3</sup> Under CESA, a species may be on the list of endangered species, the list of threatened species, or the list of candidate species.

<sup>4</sup>See Cal. Code Regs. tit. 14 § 670.5, subd. (b)(2)(D).

<sup>5</sup>See *Id.*, subd. (b)(2)(E).

Covered Activities in the form of pursue, catch, capture, or attempt to do so of the Covered Species from dewatering and fish relocation. The areas where authorized take of the Covered Species is expected to occur include Eureka Slough within isopleths of injurious hydroacoustic sound energy levels (Project Area). Based on Caltrans' "Refining Take Estimates for Coho Salmon and Longfin Smelt Based on Hydroacoustic Monitoring" letter (dated September 3, 2026) and similarities between the Project and Caltrans' Biological Assessment analysis for years one and two of the pending eight-year Eureka Slough Bridges Replacement Project, it is estimated that 22 juvenile coho salmon will be injured or die due to hydroacoustic impacts from pile driving associated with construction of the work trestle and repairs to the existing SB Eureka Slough Bridge. It is estimated that an additional 22 juvenile coho salmon will be injured or die due to hydroacoustic impacts from pile driving associated with construction of the temporary detour bridge, if SB Eureka Slough Bridge emergency repairs are not successful. It is assumed that a similar percent of the longfin smelt population could be present (juvenile life-stage) and be injured or die during emergency work.

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 or behavioral effects resulting from noise and vibrations, capture and relocation, decreased water quality, and displacement from preferred habitat.

#### **VI. 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.

#### **VII. Conditions of Approval:**

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.

Unless specified otherwise, the following measures apply to all Covered Activities within the Project Area, including areas used for construction activities, ingress and egress, staging and parking, and noise and vibration generating activities that may 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 recommendations provided by the U.S. Fish and Wildlife Service and National Marine Fisheries Service via email on June 11, 2026, 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.** Within seven days of ITP issuance, 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.
  - 4.2. Mitigation and Security Compliance.** Permittee shall comply with all conditions detailed in Section 6 (Habitat Management Land Acquisition, Restoration, and Security).
  - 4.3. Designated Biologist(s) and 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 within seven days of ITP issuance. Permittee shall ensure that the Designated Biologist(s) and Biological Monitor(s) are knowledgeable and experienced in the biology, natural history, collecting and handling of the Covered Species. The Designated Biologist(s) and Biological 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 Biological Monitor(s) in writing and shall also obtain approval in advance, in writing, if the Designated Biologist(s) or Biological Monitor(s) must be changed.
  - 4.4. 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 the 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 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 agreement or contract may result in CDFW taking actions to prevent or remedy a violation of this ITP.

- 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 education program, and weekly summary of Project work activities. Permittee shall ensure a copy of the construction-monitoring documentation is available for review at the Project site upon request by CDFW.
- 4.6. Delineation of Work Area.** Permittee shall clearly delineate the Work Area (Figure 1) 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 restrict all Covered Activities to within the fenced, staked, or flagged areas. Permittee shall maintain all fencing, stakes, and flags until the completion of Covered Activities in the area.
- 4.7. Education Program.** Permittee shall conduct an education program for all persons employed or otherwise working in the Project Area before performing any work. The program shall consist of a presentation from the Designated Biologist that includes a discussion of the biology and general behavior of the Covered Species, information about the distribution and habitat needs of the Covered Species, sensitivity of the Covered Species to human activities, its status pursuant to CESA including legal protection, recovery efforts, penalties for violations and Project-specific protective measures described in this ITP. If needed, Permittee shall provide interpretation for non-English speaking workers, and the same instruction shall be provided to any new workers before they are authorized to perform work in the Project Area. Upon completion of the program, employees shall sign a form stating they attended the program and understand all protection measures. This training shall be repeated at least once annually for long-term and/or permanent employees that will be conducting work in the Project Area.

- 4.8. 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, etc.
- 4.9. Project Access.** Project-related access shall use existing routes, or routes identified in the project description and figures. 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.
- 4.10. Staging Areas.** Permittee shall confine all Project-related parking, staging areas, laydown sites, equipment storage, and any other surface-disturbing activities to work areas identified in Figure 1, or other existing disturbed areas that result in no impacts to natural resources (e.g., existing parking lots or industrial areas).
- 4.11. Hazardous Waste.** In the event that Project activities cause any material hazardous or toxic to aquatic life to enter Waters of the State, Permittee shall immediately follow the steps outlined in the January 28, 2019, Caltrans Construction District 1 Spill Communication Plan (Attachment 3), or the most current version of a mutually agreed upon Spill Communication Plan that exists at the time of Project implementation. In addition to immediately notifying CalTIP at 888-334-2258 as outlined in the Spill Communication Plan, the Permittee shall also notify the current CDFW Regional Representative by phone and by email at as soon as possible within the first 24 hours of discovery of the spill. CDFW shall be consulted regarding clean-up procedures and measures to minimize impacts to fish and wildlife resources.
- 4.12. CDFW Access.** Permittee shall provide CDFW staff with reasonable access to the Project and mitigation land 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.
- 4.13. Notification of Non-compliance.** The Designated Representative shall immediately notify CDFW if the Permittee is not in compliance with any Condition of Approval of this ITP, including but not limited to any actual or anticipated failure to implement measures within the time periods indicated in this ITP and/or the MMRP. The Designated Representative shall follow up within 24 hours with a written report to CDFW describing, in detail, any non-compliance with this ITP and suggested measures to remedy the situation.

- 4.14. Compliance Monitoring.** The Designated Biologist shall be on-site daily when Covered Activities occur. The Designated Biologist shall conduct compliance inspections a minimum of monthly during periods of inactivity. The Designated Biologist shall conduct compliance inspections to: minimize incidental take of the Covered Species; prevent unlawful take of species; check for compliance with all measures of this ITP; check all exclusion zones; and ensure that signs, stakes, and fencing are intact, and that Covered Activities are only occurring in the Project Area. 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.
- 4.15. Monthly Compliance Report.** The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in Condition of Approvals 4.4 (Designated Biologist Authority), 4.5 (Construction Monitoring Documentation), 4.13 (Notification of Non-compliance), 4.14 (Compliance Monitoring), 4.17 (CNDDDB Observations), 4.18 (Notification of Take or Injury), 4.25 (Slough Protection/Pollution), 4.28 (pH monitoring), 4.30 (Hydroacoustic Monitoring), and construction schedule updates (including determination for need of detour bridge) into a Monthly Compliance Report and submit it to CDFW along with a copy of the MMRP table with notes showing the current implementation status of each mitigation measure. Monthly Compliance Reports shall be prepared for all months with active construction and shall be submitted to the CDFW offices listed in the Notices section of this ITP and via e-mail to CDFW's Regional Representative and Headquarters CESA Program. At the time of this ITP's approval, the CDFW Regional Representative is Greg O'Connell (Gregory.OConnell@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.
- 4.16. Annual Status Report.** Permittee shall provide CDFW with an Annual Status Report (ASR) no later than January 31 of every year, beginning with issuance of this ITP and continuing until CDFW accepts the Final Mitigation Report identified below. Each ASR shall include, at a minimum: (1) a summary of all Monthly Compliance Reports for that year identified in Condition of Approval 4.15; (2) a general description of the status of the Project Area and Covered Activities, including actual or projected completion dates, if known; (3) a copy of the table in the MMRP with notes showing the current implementation status of each mitigation measure; (4) an assessment of the effectiveness of each completed or partially completed mitigation measure in avoiding, minimizing and mitigating Project impacts; (5) all available information about Project-related incidental take of the Covered Species; (6) an accounting of the emergency work completed as it relates to mitigation obligations

(Condition of Approval 6), both for the prior calendar year, and a total since ITP issuance; and (7) information about other Project impacts on the Covered Species.

- 4.17. CNDDDB Observations.** The Designated Biologist shall submit all observations of Covered Species 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 Monthly Compliance Report or ASR, whichever is submitted first relative to the observation.
- 4.18. Notification of Take or Injury.** Permittee shall immediately notify the Designated Biologist if a Covered Species is injured by a Project-related activity, or if a Covered Species is otherwise found dead within the vicinity of the Project. The Designated Biologist or Designated Representative shall immediately notify CDFW followed by a written incident report. The notification to CDFW shall include information regarding the location, species, and number of animals injured or dead, an explanation as to cause of injury/death, and any other pertinent information and the ITP Number.
- 4.19. Work Periods.** All work within Waters of the State shall be confined to the period commencing June 15 and ending October 15, of any year in which this ITP is valid. Any deviation from this work period requires written CDFW approval and may result in the need for additional mitigation.
- 4.20. Wet Weather.** If the 10-day weather forecast indicates a probability of precipitation of 50% or greater, the Permittee shall do all of the following:
  - 4.20.1.** Monitor the seventy-two (72) hour forecast from the National Weather Service.
  - 4.20.2.** When the 72-hour forecast indicates a 50% chance or greater probability of precipitation, and a quantitative precipitation forecast of 0.5 inches or more within a 24-hour period:
  - 4.20.3.** Stage erosion and sediment control materials at the work site.
  - 4.20.4.** When rainfall is reasonably expected, or at the onset of any precipitation that could cause erosion, ground disturbing activities shall cease until erosion control measures are implemented.
  - 4.20.5.** Erosion control measures shall be implemented to stabilize exposed soils that have the potential to mobilize sediment into Waters of the State.
- 4.21. High Tide Predictions.** The Project shall monitor high tide predictions and make necessary adjustments to work activities, staging areas, and best management practices (BMPs) to ensure high tides do not inundate construction equipment or other materials that could result in release of harmful substances into Waters of the

State or result in other avoidable impacts. Tide predictions can be found NOAA's Eureka Slough tide prediction station # [9418802](#).

- 4.22. Equipment Cleaning.** All machinery, heavy equipment, or construction materials that will be entering the bed, channel, or bank shall be cleaned of materials deleterious to aquatic life including oil, lubricants, coolants, hydraulic fluid, soil, and other debris. Cleaning of equipment shall take place outside of the bed, channel, and bank.
- 4.23. Equipment Maintenance.** Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants, or hydraulic fluids shall not take place within Waters of the State, with the exception of cranes and portable generators. Generators shall be equipped with appropriately sized secondary spill containment devices at all times. Heavy equipment used or stored within or over Waters of the State shall use drip pans or other devices (i.e., absorbent blankets, sheet barriers or other materials) as needed to prevent soil and water contamination. Absorbent pads and spill cleanup kits shall be onsite during all refueling activities.
- 4.24. Inspection and Decontamination of Project Equipment.** Permittee shall inspect all vehicles and project-related heavy equipment and remove all visible soil/mud, plant materials, and invasive species; and drain any water prior to entering and exiting the Project site. Permittee shall decontaminate vehicles and heavy equipment by pressure washing with hot (minimum of 140 degrees Fahrenheit) water before entering the Project site. Permittee shall perform any needed decontamination of vehicles and other Project gear and equipment in a designated location where runoff can be contained and not allowed to pass into waters of the state and other sensitive habitat areas. Rinse water shall be disposed of at least 100 feet from any surface water.
- 4.25. Slough Protection.** No debris, soil, silt, sand, bark, slash, rubbish, cement or concrete washings, oil or petroleum products, drilling fluids or cuttings, or other deleterious material from Project activities shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into Waters of the State. All work and resulting outcomes shall be consistent with Fish and Game Code (e.g., Fish & G. Code, § 5650 [pollution], § 5652 [trash and debris]). Permittee shall include CDFW in all water quality reporting submitted to State or Regional Waterboards for discharges or releases that are not expressly authorized.
- 4.26. Concrete Primary Containment.** The Permittee shall install the necessary containment structures and other BMPs (including wet weather avoidance) to control the placement of wet concrete and to prevent it or high pH runoff from entering Waters of the State of those structures. When Permittee is pouring or actively working with wet concrete, there shall be a designated monitor on-site at all times to inspect the containment structures and ensure that no concrete or other debris enters Waters of the State outside of the structures.

- 4.27. Concrete Secondary Containment.** Prior to pouring concrete over an area that at any time is inundated at the highest tides, Permittee shall install a secondary containment barrier between the primary containment structures (i.e., headwall form, roadway forms) and the active channel to prevent wet concrete or high pH runoff from entering the active channel upon failure or leak of primary structures.
- 4.28. Isolate Concrete from Slough.** To prevent the release of materials that may be toxic to fish and other aquatic species, Permittee shall isolate poured concrete and/or cement from stream flow and allow it to dry/cure for a minimum of seven days. Procedures to monitor the pH of surface water coming into contact with concrete shall be enacted by Permittee before water is conveyed downstream, unless concrete has dried/cured for a minimum of 30 days. During the pH monitoring period, all water that has come in contact with poured concrete shall be isolated and not allowed to flow downstream or otherwise come in contact with fish and other aquatic resources. If this water has a pH less than 6.5 or greater than 8.5, the water shall be pumped to tanker truck or to a lined off-channel basin and allowed to evaporate or discharged to an upland location where it cannot enter water or hauled off-site for proper disposal. When monitored water consistently meets necessary pH requirements (between 6.5 and 8.5 pH), surface water can be conveyed downstream. Results of pH monitoring shall be made available to CDFW in Monthly Compliance Reports.
- 4.29. Contain Concrete Washings.** Any concrete washout area(s) shall be established outside Waters of the State, with sufficient controls in place to prevent contamination of soil or water. All cement and concrete rubble shall be removed from the Project site before Project completion.
- 4.30. Hydroacoustic Monitoring.** Hydroacoustic monitoring shall occur during pile driving or any other potentially injurious percussive work to confirm the injurious sound pressure level assumptions (206 dB peak injury threshold and 187 dB cSEL injury threshold) are not exceeded. If hydroacoustic monitoring for the Project indicates injurious sound pressure levels have or are likely to exceed assumptions, the Permittee shall contact CDFW within 24 hours. Reports summarizing hydroacoustic monitoring shall be submitted to CDFW monthly for any month where pile driving or potentially injurious percussive work occurs.

## **5. Post Construction Conditions**

- 5.1. Final Mitigation Report.** No later than six months after completion of all mitigation measures, including off-site mitigation and post-project monitoring, Permittee shall provide CDFW with a Final Mitigation Report. The Designated Biologist shall prepare the Final Mitigation Report which shall include, at a minimum: (1) a summary of all Monthly Compliance Reports (Condition of Approval 4.15) and all ASRs (Condition of Approval 4.16); (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; (8) results of off-site mitigation monitoring to evaluate effectiveness of the mitigation goals and objectives; and (9) any other pertinent information.

**5.2. Refuse Removal.** Upon completion of Covered Activities, Permittee shall remove from the Project Area and properly dispose of all temporary fill and construction materials, including, but not limited to, broken equipment parts, wrapping material, cords, cables, wire, rope, strapping, twine, buckets, metal or plastic containers, and boxes.

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

To meet this mitigation requirement, the Permittee shall provide for both the restoration, permanent protection and management of 0.15 acres of Coho Salmon and Longfin Smelt Habitat Management (HM) lands for work trestle impacts and, if a temporary detour bridge is constructed, shall provide for the restoration, permanent protection and management of an additional 0.15 acres Coho Salmon and Longfin Smelt HM lands, pursuant to Condition of Approval 6.3 below. Permittee shall calculate and deposit long-term management funds for the HM lands pursuant to Condition of Approval 6.4 below. If mitigation implementation is delayed years after impacts to Coho Salmon and Longfin Smelt, those impacts compound across successive reproductive generations because mortality eliminates not only the individual but also their reproductive contribution to the subsequent generations. If the mitigation project does not begin construction within 24 months from the date of impact (by July 2028), an additional 0.15 acres per year annually will be added to the mitigation requirement until the project commences, to account for the delay. For example, a 0.15-acre mitigation delay of 1 year after July 2028 would result in 0.30 acres of mitigation due, and for 2 years, 0.45 acres due. Permanent protection and funding for perpetual management of HM lands must be complete within seven years of the effective date of this ITP.

**6.1. Restoration Plan.** CDFW shall be included in any technical advisory committees that occur as part of off-site mitigation restoration planning. Permittee shall submit a draft and final off-site mitigation restoration plan for CDFW review and approval. The mitigation plan shall include post-project monitoring to evaluate effectiveness of the mitigation goals and objectives.

**6.2. Cost Estimates.** Within 90 days of ITP issuance, Permittee shall submit Exhibit B of the Master Funding Agreement between the California Department of Fish and Wildlife and the California Department of Transportation (dated September 3, 2021) for CDFW review and approval. For the purposes of determining the Security amount, Caltrans has initially estimated the cost sufficient for CDFW or its contractors to complete a minimum of five acres of the Ryan and Freshwater Slough Tidal Wetland Reconnection and Enhancement Project fish habitat restoration and protection at \$5,175,000.00. This initial cost is estimated by Caltrans to cover planning studies, alternative assessment, final design, permitting, implementation and five years post-project monitoring. The two 0.15-acre portions of mitigation associated with this ITP (work trestle, detour bridge) are initially estimated to each cost \$155,250.00. These costs are based on dollar values in the year 2026 and Exhibit B must address inflation cost increases for each year mitigation is delayed.

**6.3. Habitat Management Lands Acquisition and Protection.** For permanent protection, and perpetual management of HM lands to complete compensatory mitigation obligations, the Permittee shall:

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

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

- (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;
- (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;
- (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) 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 (template available upon request) (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;
- (7) Interim Management (Initial and Capital). Provide for the interim management of the HM lands. The Permittee shall ensure that the interim land manager implements the interim management of the HM lands as described in the final management plan and conservation easement approved by CDFW. The interim management period shall be a minimum of three years from the date of HM land acquisition and protection and full funding of the Endowment and includes

expected management following start-up activities. Interim management period activities described in the final management plan shall include fence repair, continuing trash removal, site monitoring, vegetation and invasive species management, and any adaptive management needed to achieve restoration plan goals and objectives.

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.** 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 6.3. 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.

- (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.
- (2) 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).

- (3) 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).
- (4) 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.
  - (a) 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.
  - (b) 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:
    - i. 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.
    - ii. Delayed Spending. The endowment shall be established assuming spending will not occur for the first three years after full funding.
    - iii. Non-annualized Expenses. For all large capital expenses to occur periodically but not annually, payments shall be withheld from the

annual disbursement until the year of anticipated need or upon request to Endowment Manager and CDFW.

- (c) 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.
- (d) 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.

**6.6. Security**: Within 90 days of ITP issuance for this Project, Permittee shall ensure funding (Security) to complete any activity required by Condition of Approval 6. Permittee shall provide Security as follows:

- (1) Master Funding Agreement. Security for this ITP shall be governed by the Master Funding Agreement between the California Department of Fish and Wildlife and the California Department of Transportation, dated September 3, 2021.

- (2) Funding Memorandum. Permittee shall prepare, and receive written CDFW approval for, the project-specific Funding Memorandum required by the Master Funding Agreement.
- (3) Security Amount. The Security Amount is initially estimated to be at least \$155,250.00 for each of the two 0.15-acre portions of mitigation associated with this ITP (work trestle, detour bridge), but the final amount shall be determined by CDFW approval of Caltrans' pending Exhibit B Funding Memorandum, as required by the Master Funding Agreement. This amount shall be sufficient for CDFW or its contractors to complete mitigation land acquisition, property enhancement, startup costs, initial management, long-term management, and monitoring. The security for the temporary work trestle shall be due within 90 days of ITP issuance and the security for the temporary detour bridge, if needed, shall be due 30 days prior to detour bridge construction.
- (4) Funding of the Child EA. Permittee shall create and fund the Child Expense Authorization, as described in the Master Funding Agreement, with funds equivalent to the Security Amount.
- (5) Compliance with Master Funding Agreement. Permittee shall complete all requirements set forth in the Master Funding Agreement and shall at all times comply with the terms and conditions of that Agreement.
- (6) Completion of Mitigation Requirements. Even if Security is provided, the Permittee must complete the required acquisition, protection and transfer of all Habitat Management (HM) lands and record any required conservation easements no later than seven years 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.
- (7) Security Timeline. The Security shall be provided to CDFW within 90 days after the effective date of this ITP.

#### **VIII. 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.

## **IX. 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.

## **X. Liability:**

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

## **XI. Compliance with Other Laws:**

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

## **XII. Notices:**

Written notices, reports and other communications relating to this ITP shall be delivered to CDFW by email 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)-2026-047-01) in a cover letter and on any other associated documents.

Original cover with attachment(s) to:

Jason Roberts, Regional Manager

Incidental Take Permit  
No. 2081(b)-2026-047-01  
**CALIFORNIA DEPARTMENT OF TRANSPORTATION, DISTRICT 1**  
**SOUTHBOUND EUREKA SLOUGH BRIDGE EMERGENCY REPAIR PROJECT**

Northern Region  
California Department of Fish and Wildlife  
[R1Correspondence@Wildlife.ca.gov](mailto:R1Correspondence@Wildlife.ca.gov)

and a copy to:

Habitat Conservation Planning Branch  
California Department of Fish and Wildlife  
[CESA@wildlife.ca.gov](mailto:CESA@wildlife.ca.gov)

Northern Region, Coastal Habitat Conservation  
California Department of Fish and Wildlife  
[EPIMS.R1C@Wildlife.ca.gov](mailto:EPIMS.R1C@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:

Greg O'Connell, Senior Environmental Scientist (Specialist)  
[Gregory.OConnell@Wildlife.ca.gov](mailto:Gregory.OConnell@Wildlife.ca.gov)

### **XIII. Compliance with the California Environmental Quality Act:**

CDFW's issuance of this ITP is subject to CEQA. CDFW is a responsible agency pursuant to CEQA with respect to this ITP because of prior environmental review of the Project by the lead agency, Caltrans. (See generally Pub. Resources Code, §§ 21067, 21069.) On June 17, 2026, Caltrans, acting as the lead agency, determined the Project is statutorily exempt pursuant to Public Resources Code section 21080, subd. (b)(4) because it is an action "necessary to prevent or mitigate an emergency" and constitutes repairs to publicly owned facilities "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)). Caltrans filed a Notice of Exemption for the Project (State Clearinghouse No. [2026060768](#)).

Pursuant to Public Resources Code, section 21080.1, the determination by the lead agency is "final and conclusive," and, as a responsible agency, CDFW is bound by the determination of the lead agency that the statutory exemption for emergencies applies to this Project. (Cal. Pub. Res. Code, § 21080.1.)

### **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:

Incidental Take Permit  
No. 2081(b)-2026-047-01  
**CALIFORNIA DEPARTMENT OF TRANSPORTATION, DISTRICT 1**  
**SOUTHBOUND EUREKA SLOUGH BRIDGE EMERGENCY REPAIR PROJECT**

- (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 and restoration; (2) establishment of avoidance zones; (3) worker education; and (4) Monthly 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 restoration, protection and management in perpetuity of a minimum of 0.15 acres of compensatory habitat (per project phase of emergency work, assuming no temporal loss of habitat or Covered Species reproduction) 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;
- (7) Permittee has ensured adequate funding to implement the measures required by this ITP as well as for monitoring compliance with, and the effectiveness of, those measures for the Project; and
- (8) Issuance of this ITP will not jeopardize the continued existence of the Covered Species based on the best scientific and other information reasonably available, and this finding includes consideration of the species' capability to survive and reproduce, and any adverse impacts of the taking on those abilities in light of (1) known population trends; (2) known threats to the species; and (3) reasonably foreseeable impacts on the species from other related projects and activities. Moreover, CDFW's finding is based, in part, on CDFW's express authority to amend the terms and conditions of this ITP without concurrence of the Permittee as necessary to avoid jeopardy and as required by law.

**XV. Attachments:**

|              |                                                           |
|--------------|-----------------------------------------------------------|
| FIGURE 1     | Project Work Area and Impact Map                          |
| ATTACHMENT 1 | Mitigation Monitoring and Reporting Program               |
| ATTACHMENT 2 | Biologist Resume Form                                     |
| ATTACHMENT 3 | Caltrans Construction District 1 Spill Communication Plan |

**ISSUED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ON** September 18, 2026.

DocuSigned by:

*Jason Roberts*

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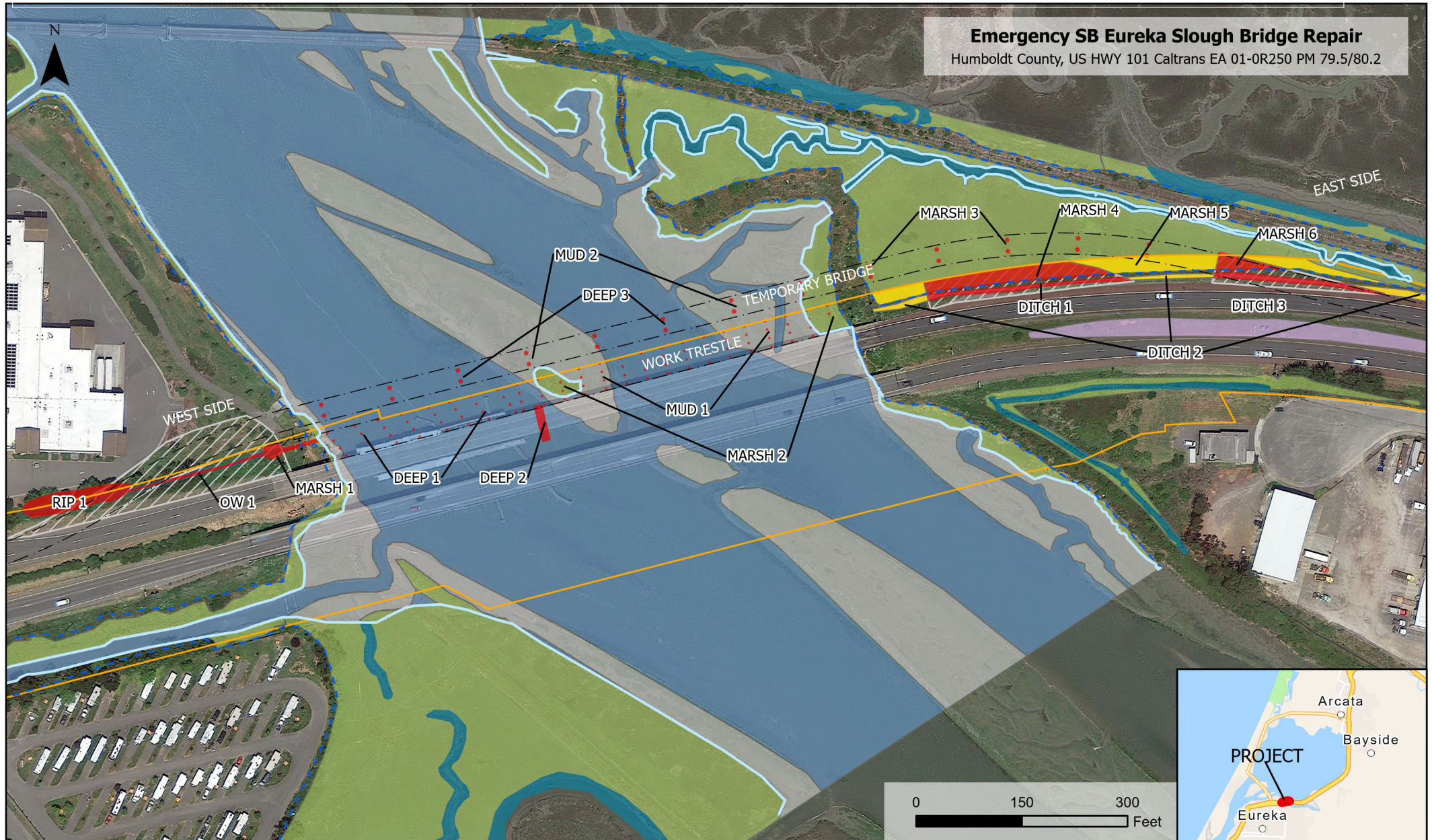
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Jason Roberts, Regional Manager  
Northern Region

Incidental Take Permit  
No. 2081(b)-2026-047-01

**CALIFORNIA DEPARTMENT OF TRANSPORTATION, DISTRICT 1  
SOUTHBOUND EUREKA SLOUGH BRIDGE EMERGENCY REPAIR PROJECT**

# Figure 1. PROJECT WORK area and impact map (Source: Caltrans' 1610 Notification).



## Impacts to State and US Resources

|                         | Permanent Impacts | Temporary Impacts | TOTAL = 0.54 acres              |
|-------------------------|-------------------|-------------------|---------------------------------|
| Waters (OW, DEEP, MUD)  | 0.0344 acres      | 0.0000 acres      | *Temporary Impacts (0.23 acres) |
| Wetlands (MARSH, DITCH) | 0.2072 acres      | 0.2327 acres      | *Permanent Impacts (0.30 acres) |
| Riparian (RIP)          | 0.0803 acres      | 0.0000 acres      | No Impacts                      |

- Mean High Water (Tide)
- High Tide Line (Tide)
- Deck Edge
- Fill
- Caltrans ROW

## Other Layers

- Estuarine Channel (Waters)
- Estuarine & Marine Deepwater (Waters)
- Tidal Mud Flats (Waters)
- Roadside Ditch Wetlands (Wetlands)
- Estuarine Marsh Wetlands (Wetlands)

\*Impacts are an overestimate and actual impacts are anticipated to be lower than what is currently shown.

Map made by: CALTRANS North Region Environmental June 19, 2026; Contact: Rose E. Dana; Email: rose.dana@dot.ca.gov; Giza Imagery 2026



**Attachment 1**

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

**INCIDENTAL TAKE PERMIT NO. 2081-2081(b)-2026-047-01**

**PERMITTEE: California Department of Transportation, District 1**

**PROJECT: SOUTHBOUND EUREKA SLOUGH BRIDGE  
EMERGENCY REPAIR 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 |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------------------------------------------|-------------------|--------------------------|
| 1 | Designated Representative. Within seven days of ITP issuance, 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | ITP Condition # 4.1 | Within seven days of ITP issuance<br><br>Entire Project | Permittee         |                          |
| 2 | Mitigation and Security Compliance. Permittee shall comply with all conditions detailed in Section 6 (Habitat Management Land Acquisition, Restoration, and Security).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | ITP Condition # 4.2 | Entire Project                                          | Permittee         |                          |
| 3 | Designated Biologist(s) and 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 within seven days of ITP issuance. Permittee shall ensure that the Designated Biologist(s) and Biological Monitor(s) are knowledgeable and experienced in the biology, natural history, collecting and handling of the Covered Species. The Designated Biologist(s) and Biological 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 Biological Monitor(s) in writing and shall also obtain approval in advance, in writing, if the Designated Biologist(s) or Biological Monitor(s) must be changed.                                                                                                                                                                                | ITP Condition # 4.3 | Within seven days of ITP issuance<br><br>Entire Project | Permittee         |                          |
| 4 | 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 the 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 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 agreement or contract may result in CDFW taking actions to prevent or remedy a violation of this ITP. | ITP Condition # 4.4 | Entire Project                                          | Permittee         |                          |
| 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 education program, and weekly summary of Project work activities. Permittee shall ensure a copy of the construction-monitoring documentation is available for review at the Project site upon request by CDFW.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | ITP Condition # 4.5 | Entire Project                                          | Permittee         |                          |

|    | <b>Mitigation Measure</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Source</b>       | <b>Implementation Schedule</b> | <b>Responsible Party</b> | <b>Status / Date / Initials</b> |
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| 6  | Delineation of Work Area. Permittee shall clearly delineate the Work Area (Figure 1) 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 restrict all Covered Activities to within the fenced, staked, or flagged areas. Permittee shall maintain all fencing, stakes, and flags until the completion of Covered Activities in the area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | ITP Condition # 4.6 | Entire Project                 | Permittee                |                                 |
| 7  | Education Program. Permittee shall conduct an education program for all persons employed or otherwise working in the Project Area before performing any work. The program shall consist of a presentation from the Designated Biologist that includes a discussion of the biology and general behavior of the Covered Species, information about the distribution and habitat needs of the Covered Species, sensitivity of the Covered Species to human activities, its status pursuant to CESA including legal protection, recovery efforts, penalties for violations and Project-specific protective measures described in this ITP. If needed, Permittee shall provide interpretation for non-English speaking workers, and the same instruction shall be provided to any new workers before they are authorized to perform work in the Project Area. Upon completion of the program, employees shall sign a form stating they attended the program and understand all protection measures. This training shall be repeated at least once annually for long-term and/or permanent employees that will be conducting work in the Project Area. | ITP Condition # 4.7 | Entire Project                 | Permittee                |                                 |
| 8  | 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, etc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | ITP Condition # 4.8 | Entire Project                 | Permittee                |                                 |
| 9  | Project Access. Project-related access shall use existing routes, or routes identified in the project description and figures. 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | ITP Condition # 4.9 | Entire Project                 | Permittee                |                                 |
| 10 | Staging Areas. Permittee shall confine all Project-related parking, staging areas, laydown sites, equipment storage, and any other surface-disturbing activities to work areas identified in Figure 1, or other existing disturbed areas that result in no impacts to natural resources (e.g., existing parking lots or industrial areas).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | ITP Condition #4.10 | Entire Project                 | Permittee                |                                 |
| 11 | Hazardous Waste. In the event that Project activities cause any material hazardous or toxic to aquatic life to enter Waters of the State, Permittee shall immediately follow the steps outlined in the January 28, 2019, Caltrans Construction District 1 Spill Communication Plan (Attachment 3), or the most current version of a mutually agreed upon Spill Communication Plan that exists at the time of Project implementation. In addition to immediately notifying CalTIP at 888-334-2258 as outlined in the Spill Communication Plan, the Permittee shall also notify the current CDFW Regional Representative by phone and by email at as soon as possible within the first 24 hours of discovery of the spill. CDFW shall be consulted regarding clean-up procedures and measures to minimize impacts to fish and wildlife resources.                                                                                                                                                                                                                                                                                                  | ITP Condition #4.11 | Entire Project                 | Permittee                |                                 |

|    | <b>Mitigation Measure</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Source</b>       | <b>Implementation Schedule</b> | <b>Responsible Party</b> | <b>Status / Date / Initials</b> |
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| 12 | CDFW Access. Permittee shall provide CDFW staff with reasonable access to the Project and mitigation land 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | ITP Condition #4.12 | Entire Project                 | Permittee                |                                 |
| 13 | Notification of Non-compliance. The Designated Representative shall immediately notify CDFW if the Permittee is not in compliance with any Condition of Approval of this ITP, including but not limited to any actual or anticipated failure to implement measures within the time periods indicated in this ITP and/or the MMRP. The Designated Representative shall follow up within 24 hours with a written report to CDFW describing, in detail, any non-compliance with this ITP and suggested measures to remedy the situation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | ITP Condition #4.13 | Entire Project                 | Permittee                |                                 |
| 14 | Compliance Monitoring. The Designated Biologist shall be on-site daily when Covered Activities occur. The Designated Biologist shall conduct compliance inspections a minimum of monthly during periods of inactivity. The Designated Biologist shall conduct compliance inspections to: minimize incidental take of the Covered Species; prevent unlawful take of species; check for compliance with all measures of this ITP; check all exclusion zones; and ensure that signs, stakes, and fencing are intact, and that Covered Activities are only occurring in the Project Area. 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | ITP Condition #4.14 | Entire Project                 | Permittee                |                                 |
| 15 | Monthly Compliance Report. The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in Condition of Approvals 4.4 (Designated Biologist Authority), 4.5 (Construction Monitoring Documentation), 4.13 (Notification of Non-compliance), 4.14 (Compliance Monitoring), 4.17 (CNDDDB Observations), 4.18 (Notification of Take or Injury), 4.25 (Slough Protection/Pollution), 4.28 (pH monitoring), 4.30 (Hydroacoustic Monitoring), and construction schedule updates (including determination for need of detour bridge) into a Monthly Compliance Report and submit it to CDFW along with a copy of the MMRP table with notes showing the current implementation status of each mitigation measure. Monthly Compliance Reports shall be prepared for all months with active construction and shall be submitted to the CDFW offices listed in the Notices section of this ITP and via e-mail to CDFW's Regional Representative and Headquarters CESA Program. At the time of this ITP's approval, the CDFW Regional Representative is Greg O'Connell (Gregory.OConnell@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. | ITP Condition #4.15 | Entire Project                 | Permittee                |                                 |

|    | <b>Mitigation Measure</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Source</b>        | <b>Implementation Schedule</b> | <b>Responsible Party</b> | <b>Status / Date / Initials</b> |
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| 16 | Annual Status Report. Permittee shall provide CDFW with an Annual Status Report (ASR) no later than January 31 of every year, beginning with issuance of this ITP and continuing until CDFW accepts the Final Mitigation Report identified below. Each ASR shall include, at a minimum: (1) a summary of all Monthly Compliance Reports for that year identified in Condition of Approval 4.15; (2) a general description of the status of the Project Area and Covered Activities, including actual or projected completion dates, if known; (3) a copy of the table in the MMRP with notes showing the current implementation status of each mitigation measure; (4) an assessment of the effectiveness of each completed or partially completed mitigation measure in avoiding, minimizing and mitigating Project impacts; (5) all available information about Project-related incidental take of the Covered Species; (6) an accounting of the emergency work completed as it relates to mitigation obligations (Condition of Approval 6), both for the prior calendar year, and a total since ITP issuance; and (7) information about other Project impacts on the Covered Species. | ITP Condition #4.16  | Entire Project                 | Permittee                |                                 |
| 17 | CNDDDB Observations. The Designated Biologist shall submit all observations of Covered Species 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 Monthly Compliance Report or ASR, whichever is submitted first relative to the observation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | ITP Condition #4.17  | Entire Project                 | Permittee                |                                 |
| 18 | Notification of Take or Injury. Permittee shall immediately notify the Designated Biologist if a Covered Species is injured by a Project-related activity, or if a Covered Species is otherwise found dead within the vicinity of the Project. The Designated Biologist or Designated Representative shall immediately notify CDFW followed by a written incident report. The notification to CDFW shall include information regarding the location, species, and number of animals injured or dead, an explanation as to cause of injury/death, and any other pertinent information and the ITP Number.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | ITP Condition #4.18  | Entire Project                 | Permittee                |                                 |
| 19 | Work Periods. All work within Waters of the State shall be confined to the period commencing June 15 and ending October 15, of any year in which this ITP is valid. Any deviation from this work period requires written CDFW approval and may result in the need for additional mitigation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | ITP Conditions #4.19 | Entire Project                 | Permittee                |                                 |
| 20 | Wet Weather. If the 10-day weather forecast indicates a probability of precipitation of 50% or greater, the Permittee shall monitor the seventy-two (72) hour forecast from the National Weather Service. When the 72-hour forecast indicates a 50% chance or greater probability of precipitation, and a quantitative precipitation forecast of 0.5 inches or more within a 24-hour period, stage erosion and sediment control materials at the work site. When rainfall is reasonably expected, or at the onset of any precipitation that could cause erosion, ground disturbing activities shall cease until erosion control measures are implemented. Erosion control measures shall be implemented to stabilize exposed soils that have the potential to mobilize sediment into Waters of the State.                                                                                                                                                                                                                                                                                                                                                                                | ITP Conditions #4.20 | Entire Project                 | Permittee                |                                 |
| 21 | High Tide Predictions. The Project shall monitor high tide predictions and make necessary adjustments to work activities, staging areas, and best management practices (BMPs) to ensure high tides do not inundate construction equipment or other materials that could result in release of harmful substances into Waters of the State or result in other avoidable impacts. Tide predictions can be found NOAA's Eureka Slough tide prediction station # 9418802.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | ITP Conditions #4.21 | Entire Project                 | Permittee                |                                 |

|    | <b>Mitigation Measure</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Source</b>        | <b>Implementation Schedule</b> | <b>Responsible Party</b> | <b>Status / Date / Initials</b> |
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| 22 | Equipment Cleaning. All machinery, heavy equipment, or construction materials that will be entering the bed, channel, or bank shall be cleaned of materials deleterious to aquatic life including oil, lubricants, coolants, hydraulic fluid, soil, and other debris. Cleaning of equipment shall take place outside of the bed, channel, and bank.                                                                                                                                                                                                                                                                                                                                                                                                                     | ITP Conditions #4.22 | Entire Project                 | Permittee                |                                 |
| 23 | Equipment Maintenance. Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants, or hydraulic fluids shall not take place within Waters of the State, with the exception of cranes and portable generators. Generators shall be equipped with appropriately sized secondary spill containment devices at all times. Heavy equipment used or stored within or over Waters of the State shall use drip pans or other devices (i.e., absorbent blankets, sheet barriers or other materials) as needed to prevent soil and water contamination. Absorbent pads and spill cleanup kits shall be onsite during all refueling activities.                                                                                                    | ITP Conditions #2.23 | Entire Project                 | Permittee                |                                 |
| 24 | Inspection and Decontamination of Project Equipment. Permittee shall inspect all vehicles and project-related heavy equipment and remove all visible soil/mud, plant materials, and invasive species; and drain any water prior to entering and exiting the Project site. Permittee shall decontaminate vehicles and heavy equipment by pressure washing with hot (minimum of 140 degrees Fahrenheit) water before entering the Project site. Permittee shall perform any needed decontamination of vehicles and other Project gear and equipment in a designated location where runoff can be contained and not allowed to pass into waters of the state and other sensitive habitat areas. Rinse water shall be disposed of at least 100 feet from any surface water. | ITP Conditions #4.24 | Entire Project                 | Permittee                |                                 |
| 25 | Slough Protection. No debris, soil, silt, sand, bark, slash, rubbish, cement or concrete washings, oil or petroleum products, drilling fluids or cuttings, or other deleterious material from Project activities shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into Waters of the State. All work and resulting outcomes shall be consistent with Fish and Game Code (e.g., Fish & G. Code, § 5650 [pollution], § 5652 [trash and debris]). Permittee shall include CDFW in all water quality reporting submitted to State or Regional Waterboards for discharges or releases that are not expressly authorized.                                                                                                             | ITP Conditions #4.25 | Entire Project                 | Permittee                |                                 |
| 26 | Concrete Primary Containment. The Permittee shall install the necessary containment structures and other BMPs (including wet weather avoidance) to control the placement of wet concrete and to prevent it or high pH runoff from entering Waters of the State of those structures. When Permittee is pouring or actively working with wet concrete, there shall be a designated monitor on-site at all times to inspect the containment structures and ensure that no concrete or other debris enters Waters of the State outside of the structures.                                                                                                                                                                                                                   | ITP Condition # 4.26 | Entire Project                 | Permittee                |                                 |
| 27 | Concrete Secondary Containment. Prior to pouring concrete over an area that at any time is inundated at the highest tides, Permittee shall install a secondary containment barrier between the primary containment structures (i.e., headwall form, roadway forms) and the active channel to prevent wet concrete or high pH runoff from entering the active channel upon failure or leak of primary structures.                                                                                                                                                                                                                                                                                                                                                        | ITP Condition # 4.27 | Entire Project                 | Permittee                |                                 |

|    | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Source               | Implementation Schedule | Responsible Party | Status / Date / Initials |
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| 28 | Isolate Concrete from Slough. To prevent the release of materials that may be toxic to fish and other aquatic species, Permittee shall isolate poured concrete and/or cement from stream flow and allow it to dry/cure for a minimum of seven days. Procedures to monitor the pH of surface water coming into contact with concrete shall be enacted by Permittee before water is conveyed downstream, unless concrete has dried/cured for a minimum of 30 days. During the pH monitoring period, all water that has come in contact with poured concrete shall be isolated and not allowed to flow downstream or otherwise come in contact with fish and other aquatic resources. If this water has a pH less than 6.5 or greater than 8.5, the water shall be pumped to tanker truck or to a lined off-channel basin and allowed to evaporate or discharged to an upland location where it cannot enter water or hauled off-site for proper disposal. When monitored water consistently meets necessary pH requirements (between 6.5 and 8.5 pH), surface water can be conveyed downstream. Results of pH monitoring shall be made available to CDFW in Monthly Compliance Reports.                                                                                                   | ITP Condition # 4.28 | Entire Project          | Permittee         |                          |
| 29 | Contain Concrete Washings. Any concrete washout area(s) shall be established outside Waters of the State, with sufficient controls in place to prevent contamination of soil or water. All cement and concrete rubble shall be removed from the Project site before Project completion.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | ITP Condition # 4.29 | Entire Project          | Permittee         |                          |
| 30 | Hydroacoustic Monitoring. Hydroacoustic monitoring shall occur during pile driving or any other potentially injurious percussive work to confirm the injurious sound pressure level assumptions (206 dB peak injury threshold and 187 dB cSEL injury threshold) are not exceeded. If hydroacoustic monitoring for the Project indicates injurious sound pressure levels have or are likely to exceed assumptions, the Permittee shall contact CDFW within 24 hours. Reports summarizing hydroacoustic monitoring shall be submitted to CDFW monthly for any month where pile driving or potentially injurious percussive work occurs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | ITP Condition # 4.30 | Entire Project          | Permittee         |                          |
| 31 | Final Mitigation Report. No later than six months after completion of all mitigation measures, including off-site mitigation and post-project monitoring, Permittee shall provide CDFW with a Final Mitigation Report. The Designated Biologist shall prepare the Final Mitigation Report which shall include, at a minimum: (1) a summary of all Monthly Compliance Reports (Condition of Approval 4.15) and all ASRs (Condition of Approval 4.16); (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; (8) results of off-site mitigation monitoring to evaluate effectiveness of the mitigation goals and objectives; and (9) any other pertinent information. | ITP Condition # 5.1  | Post-construction       | Permittee         |                          |
| 32 | Refuse Removal. Upon completion of Covered Activities, Permittee shall remove from the Project Area and properly dispose of all temporary fill and construction materials, including, but not limited to, broken equipment parts, wrapping material, cords, cables, wire, rope, strapping, twine, buckets, metal or plastic containers, and boxes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | ITP Condition # 5.2  | Post-construction       | Permittee         |                          |

|    | <b>Mitigation Measure</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Source</b>       | <b>Implementation Schedule</b>                | <b>Responsible Party</b> | <b>Status / Date / Initials</b> |
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| 33 | Restoration Plan. CDFW shall be included in any technical advisory committees that occur as part of off-site mitigation restoration planning. Permittee shall submit a draft and final off-site mitigation restoration plan for CDFW review and approval. The mitigation plan shall include post-project monitoring to evaluate effectiveness of the mitigation goals and objectives.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | ITP Condition # 6.1 | Early Stages of Off-site Restoration Planning | Permittee                |                                 |
| 34 | Mitigation Cost Estimates. Within 90 days of ITP issuance, Permittee shall submit Exhibit B of the Master Funding Agreement between the California Department of Fish and Wildlife and the California Department of Transportation (dated September 3, 2021) for CDFW review and approval. For the purposes of determining the Security amount, Caltrans has initially estimated the cost sufficient for CDFW or its contractors to complete a minimum of five acres of the Ryan and Freshwater Slough Tidal Wetland Reconnection and Enhancement Project fish habitat restoration and protection at \$5,175,000.00. This initial cost is estimated by Caltrans to cover planning studies, alternative assessment, final design, permitting, implementation and five years post-project monitoring. The two 0.15-acre portions of mitigation associated with this ITP (work trestle, detour bridge) are initially estimated to each cost \$155,250.00. These costs are based on dollar values in the year 2026 and Exhibit B must address inflation cost increases for each year mitigation is delayed. | ITP Condition # 6.2 | Within 90 days of ITP issuance                | Permittee                |                                 |

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| 35 | <p>Habitat Management Lands Acquisition and Protection. For permanent protection, and perpetual management of HM lands to complete compensatory mitigation obligations, the Permittee shall:</p> <p>(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;</p> <p>(2) Conservation Easement. If CDFW does not hold fee title to the HM lands, CDFW shall act as grantee for a conservation easement over the HM lands or shall, in its sole discretion, approve a non-profit entity, public agency, or Native American tribe to act as grantee for a conservation easement over the HM lands provided that the entity, agency, or tribe meets the requirements of Civil Code section 815.3. If CDFW elects not to be named as the grantee for the conservation easement, CDFW shall be expressly named in the conservation easement as a third-party beneficiary. The Permittee shall obtain CDFW written approval of any conservation easement before its execution or recordation. No conservation easement shall be approved by CDFW unless it complies with Civil Code sections 815-816, as amended, and Government Code sections 65965-65968, as amended and includes provisions expressly addressing Government Code sections 65966(j) and 65967(e). Because the "doctrine of merger" could invalidate the conservation interest, under no circumstances can the fee title owner of the HM lands serve as grantee for the conservation easement;</p> <p>(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;</p> <p>(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;</p> <p>(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;</p> <p>(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 (template available upon request) (2) conducting a baseline biological</p> | ITP Condition # 6.3 | Prior to CDFW Acceptance and Approval of Final Mitigation Report | Permittee |  |
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|  | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Source | Implementation Schedule | Responsible Party | Status / Date / Initials |
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|  | <p>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;</p> <p>(7) Interim Management (Initial and Capital). Provide for the interim management of the HM lands. The Permittee shall ensure that the interim land manager implements the interim management of the HM lands as described in the final management plan and conservation easement approved by CDFW. The interim management period shall be a minimum of three years from the date of HM land acquisition and protection and full funding of the Endowment and includes expected management following start-up activities. Interim management period activities described in the final management plan shall include fence repair, continuing trash removal, site monitoring, vegetation and invasive species management, and any adaptive management needed to achieve restoration plan goals and objectives.</p> <p>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.</p> |        |                         |                   |                          |

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |                                                                           |           |  |
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| 36 | <p>Endowment Fund. 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 6.3. 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.</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 this ITP, the conservation easement, and the final management plan. Such activities shall be funded through the Endowment.</p> <p>(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.</p> <p>(2) 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>(3) 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> <p>(4) 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.</p> | ITP<br>Condition<br># 6.4 | Prior to CDFW<br>Acceptance and<br>Approval of Final<br>Mitigation Report | Permittee |  |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------------------------------------------------------|-----------|--|

|    | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Source              | Implementation Schedule | Responsible Party | Status / Date / Initials |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-------------------------|-------------------|--------------------------|
|    | <p>(a) 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.</p> <p>(b) 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:</p> <ul style="list-style-type: none"> <li>i. 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.</li> <li>ii. Delayed Spending. The endowment shall be established assuming spending will not occur for the first three years after full funding.</li> <li>iii. Non-annualized Expenses. For all large capital expenses to occur periodically but not annually, payments shall be withheld from the annual disbursement until the year of anticipated need or upon request to Endowment Manager and CDFW.</li> </ul> <p>(c) 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.</p> <p>(d) 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.</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> |                     |                         |                   |                          |
| 37 | 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | ITP Condition # 6.5 | Entire Project          | Permittee         |                          |

|    | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Source               | Implementation Schedule        | Responsible Party | Status / Date / Initials |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|--------------------------------|-------------------|--------------------------|
| 38 | <p>Security: Within 90 days of ITP issuance for this Project, Permittee shall ensure funding (Security) to complete any activity required by Condition of Approval 6. Permittee shall provide Security as follows:</p> <p>(1) Master Funding Agreement. Security for this ITP shall be governed by the Master Funding Agreement between the California Department of Fish and Wildlife and the California Department of Transportation, dated September 3, 2021.</p> <p>(2) Funding Memorandum. Permittee shall prepare, and receive written CDFW approval for, the project-specific Funding Memorandum required by the Master Funding Agreement.</p> <p>(3) Security Amount. The Security Amount is initially estimated to be at least \$155,250.00 for each of the two 0.15-acre portions of mitigation associated with this ITP (work trestle, detour bridge), but the final amount shall be determined by CDFW approval of Caltrans' pending Exhibit B Funding Memorandum, as required by the Master Funding Agreement. This amount shall be sufficient for CDFW or its contractors to complete mitigation land acquisition, property enhancement, startup costs, initial management, long-term management, and monitoring. The security for the temporary work trestle shall be due within 90 days of ITP issuance and the security for the temporary detour bridge, if needed, shall be due 30 days prior to detour bridge construction.</p> <p>(4) Funding of the Child EA. Permittee shall create and fund the Child Expense Authorization, as described in the Master Funding Agreement, with funds equivalent to the Security Amount.</p> <p>(5) Compliance with Master Funding Agreement. Permittee shall complete all requirements set forth in the Master Funding Agreement and shall at all times comply with the terms and conditions of that Agreement.</p> <p>(6) Completion of Mitigation Requirements. Even if Security is provided, the Permittee must complete the required acquisition, protection and transfer of all Habitat Management (HM) lands and record any required conservation easements no later than seven years 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.</p> <p>(7) Security Timeline. The Security shall be provided to CDFW within 90 days after the effective date of this ITP.</p> | ITP Condition # 6.6  | Within 90 days of ITP Issuance | Permittee         |                          |
| 39 | CDFW accepts the Final Mitigation Report as complete.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | ITP Condition # 4.16 | Post-construction              | CDFW              |                          |

**BIOLOGIST RESUME**

Project Name: Click or tap here to enter text.

LSA Agreement/ITP Number(s): Click or tap here to enter text.

**COVER SHEET**

SUBMIT EACH RESUME AS A SEPARATE DOCUMENT

| Name | Requested Role(s) <sup>1</sup> | Species/Resource(s) |
|------|--------------------------------|---------------------|
|      |                                |                     |
|      |                                |                     |
|      |                                |                     |
|      |                                |                     |
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This form requests information about the qualifications of the Qualified Biologist, Designated Biologist and Biological Monitor specified in California Endangered Species Act Incidental Take Permits (ITP) and Lake or Streambed Alteration (LSA) Agreements issued by California Department of Fish and Wildlife (CDFW). **Completing this form will ensure the receipt of adequate information and expedite CDFW review of qualifications.**

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

**BIOLOGIST RESUME**

Project Name: Click or tap here to enter text.

LSA Agreement/ITP Number(s): Click or tap here to enter text.

**SECTION I. NAME AND CONTACT INFORMATION**

|                                    |               |
|------------------------------------|---------------|
| <b>Name:</b>                       | <b>Title:</b> |
| <b>Company Name &amp; Address:</b> |               |
| <b>Phone:</b>                      | <b>Email:</b> |

**SECTION II. EDUCATION**

**College/University** 1 **& Degree** Name and **Type Related to Natural Resource Science** (e.g., BS in ecology), and  
**Dates of Attendance:**

**Other Relevant Workshops & Training:**

**SECTION III. ROLE(S) AND PERMIT REQUIREMENTS**

**Requested Role(s):**

**Relevant LSA Agreement Measures or ITP Conditions<sup>2</sup>:**

**SECTION IV. SPECIES AND RESOURCE EXPERIENCE – SUMMARY**

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

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

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

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

**BIOLOGIST RESUME**

Project Name: Click or tap here to enter text.

LSA Agreement/ITP Number(s): Click or tap here to enter text.

**SECTION V. SPECIES AND RESOURCE EXPERIENCE – DETAILS**

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

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

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

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

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

<sup>7</sup> CNDDB is the abbreviation for California Natural Diversity Database.



**BIOLOGIST RESUME**

Project Name: [Click or tap here to enter text.](#)

LSA Agreement/ITP Number(s): [Click or tap here to enter text.](#)

|                                                                                                                                                          |                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| If <u>not</u> reported to CNDDDB, why:                                                                                                                   |                                                                 |
| CDFW and Other Agency Email:                                                                                                                             |                                                                 |
| Project 3 Name & Location:                                                                                                                               |                                                                 |
| Project Start Date:                                                                                                                                      | Project End Date:                                               |
| LSA Agreement, ITP, or Other Agency Permit Number:                                                                                                       |                                                                 |
| Role(s):                                                                                                                                                 |                                                                 |
| Survey Type(s):                                                                                                                                          |                                                                 |
| Construction Monitoring<br>Days:<br>Activities:                                                                                                          |                                                                 |
| <b>Species Life Stages Observed &amp; Handled, Number of Each</b><br><br>Life Stage:<br>Number Observed:<br>Number Handled:<br>Reported to CNDDDB (Y/N): | <b>Company Name, Professional Reference Name, Phone, Email:</b> |
| If <u>not</u> reported to CNDDDB, why:                                                                                                                   |                                                                 |
| CDFW and Other Agency Email:                                                                                                                             |                                                                 |
| Additional Information:                                                                                                                                  |                                                                 |
| SPECIES OR RESOURCE 2:                                                                                                                                   |                                                                 |
| Project 1 Name & Location:                                                                                                                               |                                                                 |
| Project Start Date:                                                                                                                                      | Project End Date:                                               |
| LSA Agreement, ITP, or Other Agency Permit Number:                                                                                                       |                                                                 |
| Role(s):                                                                                                                                                 |                                                                 |
| Survey Type(s):                                                                                                                                          |                                                                 |
| Construction Monitoring<br>Days:<br>Activities:                                                                                                          |                                                                 |
| <b>Species Life Stages Observed &amp; Handled, Number of Each</b><br><br>Life Stage:<br>Number Observed:<br>Number Handled:<br>Reported to CNDDDB (Y/N): | <b>Company Name, Professional Reference Name, Phone, Email:</b> |
| If <u>not</u> reported to CNDDDB, why:                                                                                                                   |                                                                 |
| CDFW and Other Agency Email:                                                                                                                             |                                                                 |

**BIOLOGIST RESUME**

Project Name: Click or tap here to enter text.

LSA Agreement/ITP Number(s): Click or tap here to enter text.

|                                                                                                                                                                                               |                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| <b>Project 2 Name &amp; Location:</b>                                                                                                                                                         |                                                                 |
| <b>Project Start Date:</b>                                                                                                                                                                    | <b>Project End Date:</b>                                        |
| <b>LSA Agreement, ITP, or Other Agency Permit Number:</b>                                                                                                                                     |                                                                 |
| <b>Role(s):</b>                                                                                                                                                                               |                                                                 |
| <b>Survey Type(s):</b>                                                                                                                                                                        |                                                                 |
| <b>Construction Monitoring</b><br><b>Days:</b><br><b>Activities:</b>                                                                                                                          |                                                                 |
| <b>Species Life Stages Observed &amp; Handled, Number of Each</b><br><br><b>Life Stage:</b><br><b>Number Observed:</b><br><b>Number Handled:</b><br><b>Reported to</b><br><b>CNDDB (Y/N):</b> | <b>Company Name, Professional Reference Name, Phone, Email:</b> |
| <b>If <u>not</u> reported to CNDDB, why:</b>                                                                                                                                                  |                                                                 |
| <b>CDFW and Other Agency Email:</b>                                                                                                                                                           |                                                                 |
| <b>Project 3 Name &amp; Location:</b>                                                                                                                                                         |                                                                 |
| <b>Project Start Date:</b>                                                                                                                                                                    | <b>Project End Date:</b>                                        |
| <b>LSA Agreement, ITP, or Other Agency Permit Number:</b>                                                                                                                                     |                                                                 |
| <b>Role(s):</b>                                                                                                                                                                               |                                                                 |
| <b>Survey Type(s):</b>                                                                                                                                                                        |                                                                 |
| <b>Construction Monitoring</b><br><b>Days:</b><br><b>Activities:</b>                                                                                                                          |                                                                 |
| <b>Species Life Stages Observed &amp; Handled, Number of Each</b><br><br><b>Life Stage:</b><br><b>Number Observed:</b><br><b>Number Handled:</b><br><b>Reported to</b><br><b>CNDDB (Y/N):</b> | <b>Company Name, Professional Reference Name, Phone, Email:</b> |
| <b>If <u>not</u> reported to CNDDB, why:</b>                                                                                                                                                  |                                                                 |
| <b>CDFW and Other Agency Email:</b>                                                                                                                                                           |                                                                 |
| <b>SPECIES OR RESOURCE 3:</b>                                                                                                                                                                 |                                                                 |
| <b>Project 1 Name &amp; Location:</b>                                                                                                                                                         |                                                                 |
| <b>Project Start Date:</b>                                                                                                                                                                    | <b>Project End Date:</b>                                        |
| <b>LSA Agreement, ITP, or Other Agency Permit Number:</b>                                                                                                                                     |                                                                 |



**BIOLOGIST RESUME**

Project Name: [Click or tap here to enter text.](#)

LSA Agreement/ITP Number(s): [Click or tap here to enter text.](#)

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



**BIOLOGIST RESUME**

Project Name: [Click or tap here to enter text.](#)

LSA Agreement/ITP Number(s): [Click or tap here to enter text.](#)

|                                                                                                                                                                                      |                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| <b>Days:</b><br><b>Activities:</b>                                                                                                                                                   |                                                                 |
| <b>Species Life Stages Observed &amp; Handled, Number of Each</b><br><br><b>Life Stage:</b><br><b>Number Observed:</b><br><b>Number Handled:</b><br><b>Reported to CNDDDB (Y/N):</b> | <b>Company Name, Professional Reference Name, Phone, Email:</b> |
| <b>If <u>not</u> reported to CNDDDB, why:</b>                                                                                                                                        |                                                                 |
| <b>CDFW and Other Agency Email:</b>                                                                                                                                                  |                                                                 |

# Spill Communication Plan

## Caltrans Construction-District 1

**A. Introduction:**

The purpose of this Plan is to ensure prompt notifications are made to appropriate **Agencies & Entities** who oversee Jurisdictional Waters, in the event of an unpermitted release of a deleterious substance to Jurisdictional Waters.

This Plan applies to Caltrans and its agents who perform construction project work in District 1 and illustrates how spills and leaks of potential pollutants are to be reported. On an annual basis, this Plan will be utilized to educate and train all project related personnel via the following mechanisms: specific tail-gate safety meetings; onsite project related meetings; and other relevant training opportunities.

If an unpermitted discharge of a substance deleterious to aquatic life or other natural resources enters or could potentially enter Jurisdictional Waters, immediately after ensuring all safety topics are addressed, staff at the project site shall notify the appropriate **Agencies & Entities** listed in this document as soon as possible. Additional reporting requirements may be necessary, as described and defined by project-specific permits. If it is unknown whether a discharge is permitted, onsite field staff shall conservatively assume that it is not. Likewise, if it is unknown whether a substance is deleterious, it shall be conservatively assumed that it is, and correspondingly reported as such. The response, notification procedures and requirements set forth in this Plan, along with directions set forth under Section 13-4, “Job Site Management,” of the Standard Specifications shall apply to all spills, including ones initially considered *de minimus*.

**B. Spill Response:**

The primary focus during the initial phase of any spill response is to ensure the safety of all, including the traveling public; any first responders; and all onsite Contractor and Caltrans staff. If a significant or hazardous spill occurs, it may be necessary to stop all work and evacuate the area near the spill during the initial response, prior to performing notifications.

After ensuring appropriate safety precautions have been implemented, field staff at the project site shall immediately collect the information under Section “D” below and ensure notifications are made to the following: **Resident Engineer, Water Pollution Control Manager, Environmental Construction Liaison**, and that all appropriate **Agencies & Entities** (*see other side of this document for contact information*).

If safe to do so, all available onsite Caltrans and Contractor personnel shall immediately begin working to contain and minimize impacts. Staff are to cordon off the affected spill area and clear everyone except for those who are necessary to assist with the response, cleanup and notification process. Once determined safe to do so, onsite staff are to immediately mobilize all available project staff, materials, and equipment necessary to begin and assist in the cleanup efforts.

Under certain situations, when a significant or hazardous spill occurs in critical or unique locations, other agencies may take over responsibility for directing the subsequent response and cleanup, such as for most oil spills within navigable waters where the United States Coast Guard would take over directing the response and cleanup efforts. Such unique situations will be clearly outlined in project specific permits, with appropriate contacts and directions.

**C. Notification of Agencies & Entities:**

As outlined in Section “B” above, if a spill occurs and all safety precautions have been evaluated, onsite field staff shall notify appropriate **Agencies & Entities** as soon as possible. Additionally, the Caltrans Resident Engineer or their delegated representative will follow up with all **Agencies & Entities** to ensure proper processes are being implemented. If there is no cell-phone service or other means of quickly notifying all appropriate contacts at the project site, all practical attempts to make such notifications shall be required, including sending non-critical staff who aren’t necessary for the initial response, to a nearby location to make all required notifications.

Notifications should be provided to:

- 911 (**For Significant or Hazardous spills only**)
- California Office of Emergency Services (CalOES) (800) 852-7550
- Department of Fish and Wildlife (DFW) Cal-TIP (888) 334-2258
- North Coast Regional Water Quality Control Board (707) 576-2200 (**DN, HUM, MEN**)
- Central Valley Regional Water Quality Control Board (916) 464-3291 (**LAK**)

Additional notifications may be required based on location and type of spill:

- Yurok Tribe (707) 482-1822 (**DN-101 PM 2.07/8.76, DN-169, HUM-96 PM 22.75/25.1, HUM-169**)
- Hoopa Tribe (530) 625-4211 (**HUM-96 PM 7.8/22.75**)
- Resighini Tribe (707) 482-2431 (**DN-101 PM 1 to 2.07**)
- National Marine Fisheries Service (NMFS) - Santa Rosa Office (707) 575-6057
- United States Coast Guard (800) 424-8802
- National Response Center at (800) 424-8802 regarding spills of Federal-reportable quantities, as outlined under 40 CFR 110, 117, and 302
- California Highway Patrol – if appropriate or per VC Section 23112.5 (**Arcata 707-822-5981; Garberville 707-923-2155; Ukiah 707-467-4420; Clearlake 707-279-0103; Williams 530-473-2821; Crescent City 707-464-3117**)

Every attempt should be made to speak to a person instead of leaving a voicemail. Documentation of the following shall be performed: who was spoken to; when the notification was performed; and the contents if a message was required. All documentation relating to the incident and notifications shall be retained and become part of the Project Files.

**D. Information to provide**

1. The type of substance/material released and the initial assumption relating to the cause or trigger of the release-
2. The estimated volume/amount of substance/material released-
3. The estimated potential harm to aquatic life and/or known natural resources in the project area-
4. The estimated time relating to the duration of the release, along with estimated extend of potential impacts -
5. The location and physical extent of the release occurred (include State Route number, County, Mile Marker; adjacent known landmarks; adjacent waterbody/watershed names; and physical address if practical-
6. The current and planned response to contain and cleanup the release, along with other relevant information.

# Spill Communication Plan

## Caltrans Construction-District 1

Effective January 28, 2019

