

Notice of Exemption**- 1 -**

To:
Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

From:
California Department of Fish and Wildlife
Central Region
1234 East Shaw Avenue
Fresno, CA 93710



Street Address:
1400 Tenth Street
Sacramento, CA 95814

State Clearinghouse Number: 2021040737

Project Title: Major Amendment No. 2 to California Endangered Species Act (CESA) Incidental Take Permit (ITP) No. 2081-2020-043-04, as amended, for the Southern California Gas Company Line 85 Milepost 75.75/75.94 Pipe Recoat Project (Project)

Project Location: The Project is located in the southern San Joaquin Valley approximately 5.5 miles east of the town of Taft in Kern County, California. The Project is specifically located on California Department of Water Resources-owned land adjacent to and on both sides of the California Aqueduct near Lake Station Road within the USGS 7.5-Minute Quadrangle Map Buena Vista Lake Bed in Township 32 South, Range 24 East, Section 12, MDBM; Latitude 35.158737, Longitude -119.350087 and Latitude 35.157958, Longitude -119.34632 and Latitude 35.164858, Longitude -119.349671.

Project Description: The California Department of Fish and Wildlife (CDFW) has issued a CESA (Fish & G. Code, § 2050 et seq.) ITP, Major Amendment No. 1, and this Major Amendment No. 2 to authorize Southern California Gas Company to incidentally take Tipton kangaroo rat (*Dipodomys nitratooides nitratooides*) which is listed as endangered under CESA (Fish & G. Code § 2050 et seq.; see Cal. Code Regs., tit. 14, § 670.5, subd. (a)(6)(D)) and San Joaquin antelope squirrel (*Ammospermophilus nelsoni*) which is listed as threatened species under CESA (Fish & G. Code § 2050 et seq.; see Cal. Code Regs., tit. 14, § 670.5, subd. (b)(6)(B)).

The Project includes activities associated with the inspection and repair of the coating of two approximately 50-foot long segments of the 26-inch natural gas pipeline (Line) 85 located at Mile Post (MP) 75.75 and MP 75.94 where anomalies have been identified. Major Amendment No. 2 makes eight changes to the ITP, as amended: 1) extends the expiration date from October 31, 2021 to March 31, 2022; 2) expands the size of the MP 75.94 Work Area east of the California Aqueduct; 3) increases the size of the excavation areas at both inspection/ repair locations; 4) adds zero-sack slurry, or wet sand, to be used to re-cover approx. 18 inches above the top of exposed pipeline followed by native soil; 5) adds that approx. 120 cubic yards of excess soil will be hauled off site for disposal; 6) increases the total Project footprint and impacts to Covered Species habitat by 0.13 acre; 7) increases the amount of Covered Species Credits required; and 8) revises and accordingly replaces Figure 2a of the ITP with Figure 2b to depict the new Work Area configuration at MP 75.94 within the modified Project Area.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project: Southern California Gas Company, Ileana Figueroa, Project Manager, 9400 Oakdale Avenue, SC9314, Chatsworth, California 91311.

Exempt Status:

- Statutory Exemption. California Code of Regulations, Title 14, section 15269, subdivision (b); Public Resources Code, section 21080, subdivision (b)(4)
- Categorical Exemption.

Reasons why project is exempt: See Attachment

CDFW Contact Person: Craig Bailey (Sr. Environmental Scientist, Supervisory), 559-243-4014, extension 227

DocuSigned by:

Signature: _____
FA83F09FE08945A...

Date: 10/12/2021

Julie A. Vance
Regional Manager, Central Region

Date received for filing at OPR: _____

**Attachment to Notice of Exemption
State Clearinghouse No. 2021040737**

**California Endangered Species Act Incidental Take Permit No. 2081-2020-043-04, as amended
Major Amendment No. 2
Southern California Gas Company Line 85 Milepost 75.75/75.94 Pipe Recoat Project
(Project)**

Approval of this Project is statutorily exempt from the California Environmental Quality Act (CEQA, Pub. Resources Code, § 21000 *et seq.*) because the Project is subject to California Code of Regulations, Title 14, section 15269, subdivision (b), “Emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety, or welfare” and Public Resources Code, section 21080, subdivision (b)(4), “Emergency repairs necessary to prevent or mitigate an emergency”. “Emergency” is defined as “a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services” (Pub. Resources Code, § 21060.3).

The Project, as amended, includes the inspection and repair of the coating of two approximately 50-foot long segments of the 26-inch natural gas pipeline (Line) 85 located at Mile Post (MP) 75.75 and MP 75.94 where anomalies have been identified and the installation of an underground mainline valve and inline inspection activities. The repairs are needed urgently to protect the integrity and safety of the pipeline as well as to ensure service to natural gas customers is not impacted in winter of 2021. Additionally, repairs are needed urgently to reduce potential impacts to other pipelines in the vicinity of the California Aqueduct, and possibly to the California Aqueduct itself.

On September 22, 2021, the Permittee requested changes to the Project to extend the expiration date of the ITP from October 31, 2021, to March 31, 2022, in order to be able to complete the Project and to expand the MP 75.94 Work Area approximately 105 feet west of the original location, to accommodate additional work and improved access to the pipe. The revised Work Area will increase the total Project footprint by 0.13 acre. The trenches within both Work Areas will also be expanded to dimensions of 60-feet long by 10-feet wide by 12-feet deep. Finally, the pipe segments will be re-covered with 18 inches of zero-sack slurry, or wet sand, then windrowed native soil once repairs are complete. Because pre-Project ITP requirements including installation of exclusion fencing, Covered Species relocation, and burrow excavation have already occurred, this change will result in an increase in impacts to Covered Species habitat of 0.13 acre.

CDFW has determined that although this Amendment may result in an increase in take of the Covered Species and an increase in Covered Species habitat impacts, the additional impacts of the taking will be minimized and fully mitigated through implementation of the Conditions of Approval. Because the impacts will be minimized and fully mitigated, there will be no increase in Project impacts to the Covered Species with this Amendment. Impacts will be minimized and fully mitigated through the implementation of measures required by Incidental Take Permit No. 2081-2020-043-04, as amended. Measures include: 1) Monthly Compliance Reports; 2) establishment of avoidance zones; 3) worker education; and 4) permanent habitat protection.