

Notice of Exemption

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 No.: 2021070445

Project Title: California Endangered Species Act Incidental Take Permit No. 2081-2019-020-04 for the ID-78/Spans 24 and 27, L-300 Project

Project Location: The Project is located within portions of the Panoche Valley and Tumey Hills in San Benito County.

Project Description: The California Department of Fish and Wildlife (CDFW) has reissued a California Endangered Species Act (CESA; Fish & G. Code, § 2050 et seq.) Incidental Take Permit (ITP), No. 2081-2019-020-04, to permit Pacific Gas and Electric Company to incidentally take giant kangaroo rat, which is listed as endangered species under CESA (Fish & G. Code § 2050 et seq.; see Cal. Code Regs., tit. 14, § 670.5, subd. (a)(6)(C)), San Joaquin kit fox, 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)(E)), and Nelson’s antelope squirrel, 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)). Modifications were made for clarity.

The ITP authorizes take of giant kangaroo rat (*Dipodomys ingens*), a species listed as endangered, San Joaquin kit fox (*Vulpes macrotis mutica*), a species listed as threatened, and Nelson’s antelope squirrel (*Ammospermophilus nelsoni*), a species listed as threatened, pursuant to CESA for activities associated with the ID-78/Spans 24 and 27, L-300 Project, including excavation, stockpiling, backfilling, compaction, dewatering, sandblasting, and other related activities. Pipeline maintenance will occur at five (5) work locations and will include recoating projects, investigative dig, or cross compression.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project: Pacific Gas and Electric Company, Matt Putnam, Director of Environmental Management Gas and Electric Projects, 1455 East Shaw Avenue, Fresno, California 93710.

Exempt Status:

- Statutory Exemption. Public Resources Code Division 13 Environmental Quality, Section 21080.21
- 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:

FA83F09FE08945A...

Signature: _____ **Date:** 8/27/2021

Julie A. Vance
Regional Manager, Central Region

Date received for filing at OPR: _____

Attachment to Notice of Exemption

California Endangered Species Act Incidental Take Permit No. 2081-2019-020-04 ID-78/Spans 24 and 27, L-300

Approval of this Project is statutorily exempt from the California Environmental Quality Act because the Project is subject to California Code of Regulations, title 14, Article 18, Statutorily Exemption section 15282(k), "The installation of new pipeline or maintenance, repair, restoration, removal, or demolition of an existing pipeline as set forth in Section 21080.21 of the Public Resources Code, as long as the project does not exceed one mile in length"; as well as Public Resources Code, section 21080.21, "This division does not apply to any project of less than one mile in length within a public street or highway or any other right-of-way for the installation of a new pipeline or the maintenance, repair, restoration, reconditioning, relocation, replacement, removal, or demolition of an existing pipeline." "'Pipeline' includes subsurface facilities but does not include any surface facility related to the operation of the underground facility." (Pub. Resources Code, §21080.21(a)).

The proposed Project includes maintenance activities for two natural gas pipelines owned by Pacific Gas and Electric Company. The maintenance activities include recoating projects, investigative dig, and cross compression.

Project activities include excavation, stockpiling, backfilling, compaction, dewatering, sandblasting, and other related activities. Impacts will be minimized and fully mitigated through the implementation of measures required by Incidental Take Permit No. 2081-2019-020-04. Measures include: 1) Monthly Compliance Reports; 2) establishment of avoidance zones; 3) worker education; 4) species relocation; 5) permanent habitat protection; and 6) site restoration.