

Notice of Exemption

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To:
Office of Planning and Research
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

Project Title: California Endangered Species Act Incidental Take Permit No. 2081-2021-058-04 for AT&T Inc. Airline Highway CCL00284 Urgent Telecommunications Project

Project Location: The Project is located on a private residential property at 32005 Airline Highway in the town of Paicines in San Benito County, approximately 28 miles south of the City of Hollister and approximately 1.3 miles east-southeast of the intersection of State Routes 25 and 146. The Project is bounded by Airline Highway and Pinnacles National Park to the southwest, surrounded by undeveloped land. The Project is specifically within the United States Geological Survey 7.5-Minute San Benito Quadrangle Map in Township 16 South, Range 8 East, Sections 20, 21, 28, and 29, Mount Diablo Base and Meridian on Assessor's Parcel Numbers 028-130-026-000 and 028-150-024-000, at approximately Latitude 36° 31' 7.33" N, Longitude 121° 6' 49.32" W.

Project Description: The California Department of Fish and Wildlife (CDFW) has issued a California Endangered Species Act (CESA; Fish and Game Code, § 2050 et seq.) Incidental Take Permit, No. 2081-2021-058-04, to permit AT&T Inc. to incidentally take California tiger salamander which is designated as a threatened species under CESA. (Fish & G. Code § 2050 et seq.; see Cal. Code Regs., tit. 14, § 670.5, subd. (b)(3)(G)).

The ITP authorizes take of California tiger salamander (Covered Species) for activities associated with the Project which is necessary to address the absence of Band-14 coverage in and around Pinnacles National Park, including E911 (emergency services) coverage, which is urgently required for health and human safety. The Project will include improvements to an existing access road, installation of underground utility lines (power and telecommunications), installation of four culverts/riprap along the access road, and a staging area. Construction and installation of the associated telecommunications tower is not included in the ITP. The Project is expected to cause the permanent loss of 2.56 acres and temporary loss of 0.49 acre of habitat for the Covered Species.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

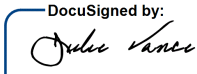
Person or Public Agency Carrying Out Project: AT&T Inc., Michael Guibord, 5001 Executive Parkway, San Ramon, California 94583

Exempt Status:

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

Reasons why project is exempt: See Attachment

CDFW Contact Person: Renée Robison (Senior Environmental Scientist (Specialist)), 559-243-4014

Signature:  FA83F09FE08945A **Date:** 9/20/2021
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. 2081-2021-058-04 Airline Highway CCL00284 Urgent Telecommunications Project

Approval of this Project is subject to the statutory exemption for “Specific actions necessary to prevent or mitigate an emergency” (Emergency Project; Pub. Resources Code, §21080, subd. (b)(4)) under the California Environmental Quality Act (CEQA; Pub. Resources Code, §21000 et seq.). “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 is necessary to address the absence of Band-14 coverage in and around Pinnacles National Park, a remote area in San Benito County. The Office of Emergency Services has identified the Project Area as one of the 13 most important new sites in northern California and expect it to be active by the end of the year. The Project Area has been identified as the only possible site with the coverage capability around the Pinnacles area, including E911 (emergency services) coverage. The Project constitutes an emergency measure which is required for immediate health and human safety.

The Project includes improvements to an existing 1.31 mile-long access road, installation of underground power and telecommunications utility lines by trenching along the access road, installation of four culverts and riprap along the access road to address surface water flow at the Project site, and a construction staging area. Construction and installation of the associated telecommunications tower is not included in this Incidental Take Permit and the footprint of the tower is not included in the Project Area. The Project is expected to cause the permanent loss of 2.56 acres and temporary loss of 0.49 acre of habitat for the Covered Species.

Impacts will be minimized and fully mitigated through the implementation of measures required by Incidental Take Permit No. 2081-2021-058-04. Measures include: 1) Monthly Compliance Reports; 2) establishment of avoidance zones; 3) worker education; 4) burrow/crevice excavation; and 5) permanent habitat protection.