

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

Evaluation of Integrating adaptation and phenotypic plasticity into models of habitat connectivity for the Ciervo-Panoche giant kangaroo rat to manage for persistence in the face of climate change

MP-CEC-15-05

Prepared by:



Date: 5/20/16

Jamie LeFevre
Natural Resources Specialist
Mid-Pacific Regional Office

Concurred by:



Date: 5/20/16

Daniel Strait
Program Manager, Central Valley
Project Conservation Program
Mid-Pacific Regional Office

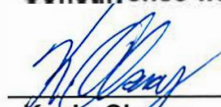
Concurred by:



Date: 5/20/16

Joanne Goodsell
Archeologist
Mid-Pacific Regional Office
Concurrence with extraordinary circumstance #8

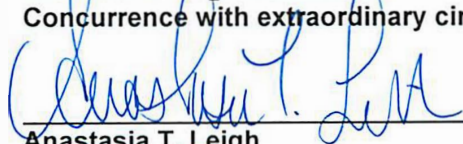
Concurred by:



Date: 5/20/2016

Kevin Clancy
Native American Affairs Program Manager
Mid-Pacific Regional Office
Concurrence with extraordinary circumstance #11

Approved by:



Date: 5/20/2016

Anastasia T. Leigh
Regional Environmental Officer
Mid-Pacific Regional Office



Action

Bureau of Reclamation (Reclamation) and the Marina Field Office of the U.S. Bureau of Land Management (BLM) propose to identify and characterize high value habitat for the northern giant kangaroo rat (*Dipodomys ingens*) (GKR) in the Ciervo-Panoche Natural Area (CPNA) of western Fresno and eastern San Benito Counties, California. Reclamation would provide \$355,931 from the Central Valley Project Improvement Act Habitat Restoration Program to BLM through Interagency Agreement R15PG00093. Through this agreement, BLM will task researchers from Humboldt State University and UC Davis to conduct the GKR trapping, DNA sequencing, lab analysis, and habitat modeling components of the project.

Permits

The principle investigator Dr. W. Tim Bean has obtained a valid permit under Section 10(a)(1)(a) of the Endangered Species Act (ESA), 16 U.S.C. §1531 *et seq.*, from the U.S. Fish and Wildlife Service (permit number TE-37418-A) to conduct trapping and collect hair samples of GKR.

Project Location

The project is focused on the northern GKR in the CPNA in Fresno and San Benito Counties (Figure 1). Trapping will occur in and around the areas of previous trapping, with additional efforts to be conducted in areas where surveys collected few or no genetic samples. Next Generation Sequencing would be conducted at the UC Davis Mammalian Ecology and Conservation Laboratory.

Exclusion Category

516 DM 14.5 A.3: Research activities, such as nondestructive data collection and analysis, monitoring, modeling, laboratory testing, calibration, and testing of instruments or procedures and non-manipulative field studies.

Extraordinary Circumstances

Below is an evaluation of the extraordinary circumstances as required in 43 CFR 46.215.

- | | | | | | | |
|---|----|-------------------------------------|-----------|--------------------------|-----|--------------------------|
| 1. This action would have a significant effect on the quality of the human environment (40 CFR 1502.3). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 2. This action would have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA Section 102(2)(E) and 43 CFR 46.215(c)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 3. This action would have significant impacts on public health or safety (43 CFR 46.215(a)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 4. This action would have significant impacts on such natural resources and unique geographical characteristics as historic or cultural resources; parks, recreation, and refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (EO 11990); flood plains (EO 11988); national monuments; migratory birds; and other ecologically significant or critical areas (43 CFR 46.215 (b)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 5. This action would have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks (43 CFR 46.215(d)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 6. This action would establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects (43 CFR 46.215 (e)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 7. This action would have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects (43 CFR 46.215 (f)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |

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|--|----|-------------------------------------|-----------|--------------------------|-----|--------------------------|
| 8. This action would have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by Reclamation (LND 02-01) (43 CFR 46.215 (g)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 9. This action would have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated critical habitat for these species (43 CFR 46.215 (h)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 10. This action would violate a Federal, tribal, State, or local law or requirement imposed for protection of the environment (43 CFR 46.215 (i)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 11. This action would affect ITAs (512 DM 2, Policy Memorandum dated December 15, 1993). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 12. This action would have a disproportionately high and adverse effect on low income or minority populations (EO 12898) (43 CFR 46.215 (j)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 13. This action would limit access to, and ceremonial use of, Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007, 43 CFR 46.215 (k), and 512 DM 3)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 14. This action would contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act, EO 13112, and 43 CFR 46.215 (l)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |

NEPA Action Recommended

☒ CEC – This action is covered by the exclusion category and no extraordinary circumstances exist. The action is excluded from further documentation in an EA or EIS.

☐ Further environmental review is required, and the following document should be prepared.

☐ EA

☐ EIS

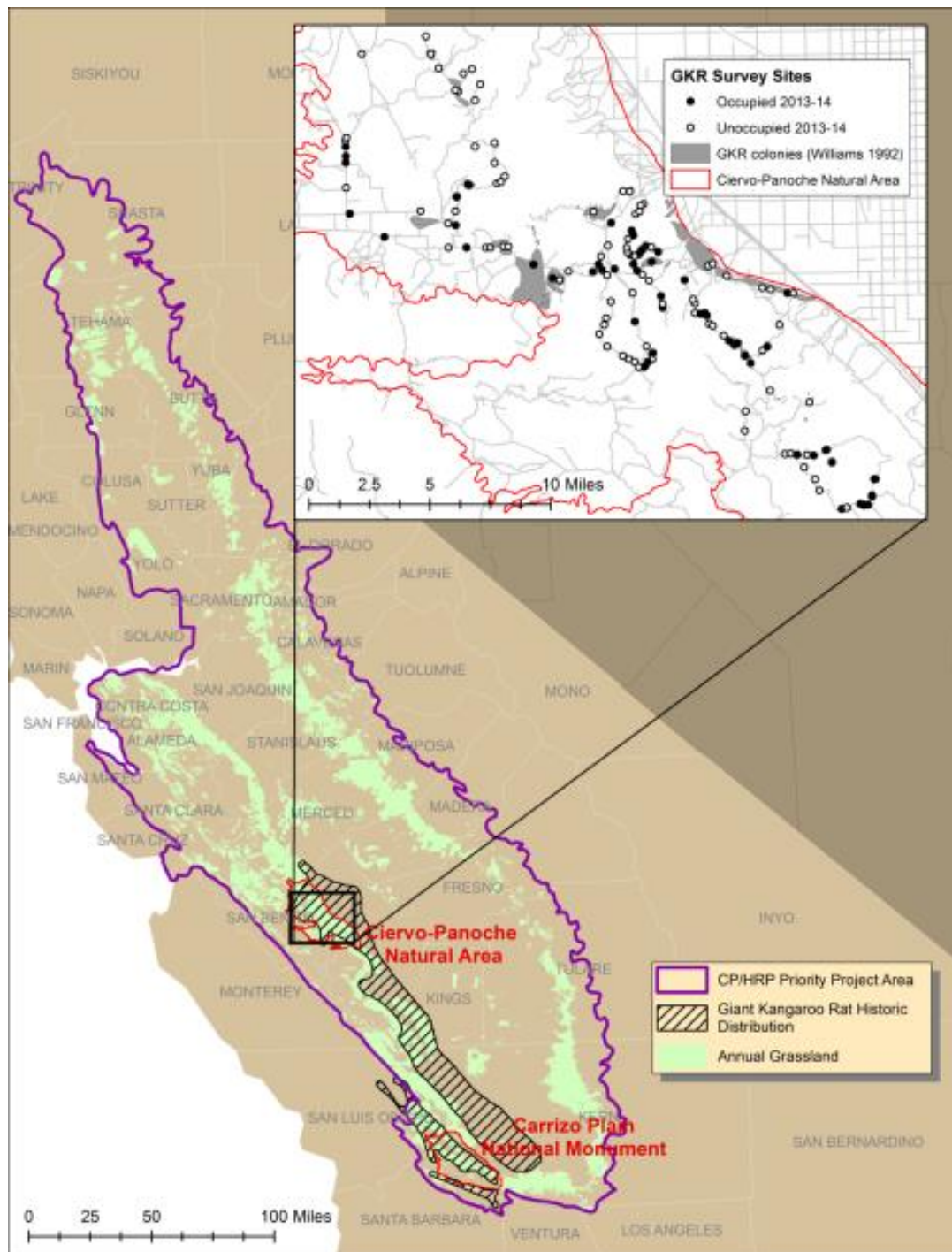


Figure 1. Historical distribution of GKR, and the two largest extant GKR populations, at the Ciervo-Panoche Natural Area and Carrizo Plain. The inset map shows intended trapping sites within the CPNA. Colonies with GKR mapped by D.F. Williams in 1992 are shown as gray polygons. Small circles indicate all GKR colonies mapped by W.T. Bean and M. Westphal in 2013-2014.

Attachment A
Cultural Resources Concurrence Memo

CULTURAL RESOURCES COMPLIANCE
Division of Environmental Affairs
Cultural Resources Branch (MP-153)

MP-153 Tracking Number: 15-SCAO-221

Project Name: Integrating Adaptation and Phenotypic Plasticity into Models of Habitat Connectivity for the Ciervo-Panoche Giant Kangaroo Rat (GKR) to Manage for Persistence in the Face of Climate Change

NEPA Document: CEC

NEPA Contact(s): Jamie LeFevre, Natural Resources Specialist; Dan Strait, Manager, CVP Conservation Program and CVPIA Habitat Restoration Program

MP-153 Cultural Resources Reviewer: Joanne Goodsell, Archaeologist *JG*

Date: July 13, 2015

Reclamation proposes to provide funding through the CVP Conservation Program and CVPIA Habitat Restoration Program for a joint UC Davis, Humboldt State University, and Bureau of Land Management research project in the Ciervo-Panoche Natural Area (CPNA) in western Fresno County. The project aims to determine how CPNA GKR populations utilize habitat for dispersal and to what extent current habitat affinities reflect genomic adaptations versus phenotypic plasticity. The proposed project will be accomplished using existing data and through intensive trapping surveys and genomic testing following standard protocols. It is anticipated that approximately 200 individuals will be trapped during the summers of 2015 and 2016. No ground disturbance will be required for trapping or subsequent genomic analysis.

Reclamation has determined that the proposed action involves the type of activity that does not have the potential to cause effects to historic properties, should such properties be present. In accordance with 36 CFR § 800.3(a)(1), Reclamation has no further obligations under 54 U.S.C. § 306108, commonly known as Section 106 of the National Historic Preservation Act (NHPA).

This document conveys the completion of the NHPA Section 106 process for this undertaking. Please retain a copy in the administrative record for this action. Should the proposed project change, additional NHPA Section 106 review, possibly including consultation with the State Historic Preservation Officer, may be required.

Attachment B
Endangered Species Compliance Documentation

MP-152
ENV-7.00

MEMORANDUM

To: CVPIA Habitat Restoration Program Manager
Attn: MP-152 (DStrait)


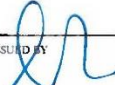

From: Jamie LeFevre
Natural Resources Specialist

Subject: Endangered Species Act Section 7 Coverage for integrating adaptation and phenotypic plasticity into models of habitat connectivity for the Ciervo-Panoche giant kangaroo rat to manage for persistence in the face of climate change

The Bureau of Reclamation (Reclamation) and the U.S. Bureau of Land Management (BLM) propose to identify and characterize high value habitat for the northern giant kangaroo rat (*Dipodomys ingens*) (GKR) in the Ciervo-Panoche Natural Area (CPNA) of western Fresno and eastern San Benito Counties, California. Reclamation would provide funding from the Central Valley Project Improvement Act Habitat Restoration Program to BLM through an interagency agreement. Through this agreement, BLM will task researchers from Humboldt State University (HSU) and UC Davis to conduct GKR trapping, DNA sequencing, lab analysis, and habitat modeling components of the project.

To document GKR presence, HSU researchers will collect hair samples for genetic testing and to classify habitat. Intensive trapping would occur at the CPNA in Fresno and San Benito counties, California. Next generation sequencing would be conducted at the UC Davis Mammalian Ecology and Conservation Laboratory.

HSU researchers have obtained a valid Federal permit (see attached) for the proposed activities funded through this action under Section 10(a)(1)(a) of the Endangered Species Act (ESA), 16 U.S.C. §1531 *et seq.*, from the U.S. Fish and Wildlife Service. Reclamation has determined that providing grant funding to conduct trapping and collecting hair samples of GKR would have no additional adverse effects or exceed take from what was previously authorized via HSU's 10(a)(1)(a) permit TE37418A-2. Since take, as prohibited under Section 9 of the ESA, has been exempted through the Section 10 permit, and no additional take would occur, this concludes Reclamation's responsibility under Section 7 of the ESA. However, if new information is made available, the project description changes, and/or HSU researchers do not fully comply with the terms and conditions prescribed in their 10(a)(1)(a) permit, then Reclamation may need to revisit its ESA responsibility. Please retain a copy of this memo as part of the administrative record.

| | | | | | | | |
|--|---|---|--|--|---|--|--|
|  <p>DEPARTMENT OF THE INTERIOR U.S. FISH & WILDLIFE SERVICE Endangered Species Permit Office 2800 Cottage Way, Suite W-2606 Sacramento, CA 95825-1846 permitsR8ES@fws.gov</p> | | <p>2. AUTHORITY-STATUTES 16 USC 1539(a)</p> <p>REGULATIONS 50 CFR 17.22</p> <p>50 CFR 13</p> | | | | | |
| <p>FEDERAL FISH AND WILDLIFE PERMIT</p> <p>1. PERMITTEE</p> <p>WILLIAM T BEAN 1 HARPST ST ARCATA, CA 95521 U.S.A.</p> | | <p>3. NUMBER TE37418A-3</p> <p style="text-align: center;">AMENDMENT</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>4. RENEWABLE</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> </td> <td style="width: 50%; vertical-align: top;"> <p>5. MAY COPY</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> </td> </tr> <tr> <td style="vertical-align: top;"> <p>6. EFFECTIVE 04/11/2016</p> </td> <td style="vertical-align: top;"> <p>7. EXPIRES 04/10/2021</p> </td> </tr> </table> | | <p>4. RENEWABLE</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> | <p>5. MAY COPY</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> | <p>6. EFFECTIVE 04/11/2016</p> | <p>7. EXPIRES 04/10/2021</p> |
| <p>4. RENEWABLE</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> | <p>5. MAY COPY</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> | | | | | | |
| <p>6. EFFECTIVE 04/11/2016</p> | <p>7. EXPIRES 04/10/2021</p> | | | | | | |
| <p>8. NAME AND TITLE OF PRINCIPAL OFFICER <i>(If: 1 is a business)</i></p> | | <p>9. TYPE OF PERMIT NATIVE ENDANGERED SP. RECOVERY - E WILDLIFE</p> | | | | | |
| <p>10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED ON LANDS SPECIFIED WITHIN THE ATTACHED SPECIAL TERMS AND CONDITIONS</p> | | | | | | | |
| <p>11. CONDITIONS AND AUTHORIZATIONS</p> <p>A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY, OR RENEWAL, OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS.</p> <p>B. THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL, TRIBAL, OR OTHER FEDERAL LAW.</p> <p>C. VALID FOR USE BY PERMITTEE NAMED ABOVE.</p> <p><input checked="" type="checkbox"/> ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY</p> | | | | | | | |
| <p>12. REPORTING REQUIREMENTS ANNUAL REPORT DUE: 01/31</p> | | | | | | | |
| <p>ISSUED BY </p> | | <p>TITLE  ENDANGERED SPECIES DIVISION CHIEF</p> | | | | | |
| <p>DATE</p> | | <p>04/11/2016</p> | | | | | |

SPECIAL TERMS AND CONDITIONS
William T. Bean

1. This permit was previously issued on November 15, 2013. The terms and conditions set forth in that permit are hereby superseded by this amendment.
2. Acceptance of this permit serves as evidence that the permittee understands and agrees to abide by the "General Permit Procedures and Permit Regulations for Native Endangered and Threatened Wildlife Species Permits," 50 CFR Part 13, 50 CFR 17.21 and 17.22 (endangered wildlife) and/or 50 CFR 17.31 and 17.32 (threatened wildlife), as applicable found at: <http://www.fws.gov/carlsbad/r8permits/permitprocedures-regulations.htm>
3. The permittee must have all other applicable State and Federal permits prior to the commencement of activities authorized by this permit. In addition, this permit does not authorize access to Federal, Tribal, State, local government, or private lands as it is the responsibility of the permittee to obtain land owner permission prior to commencing permitted activities on such lands.
4. The permittee is authorized to take (capture, measure, handle, collect genetic samples, and release) the giant kangaroo rat (*Dipodomys ingens*) in conjunction with surveys, research, and demographic studies for the purpose of enhancing its survival, as specified in the permittee's July 20, 2015, permit renewal and amendment request, in accordance with the conditions stated below.
5. Permitted activities are restricted to the following geographic area in California:

Throughout the range of the species.

Notifications to conduct activities at the above authorized locations pursuant to this permit shall be submitted in writing to the Recovery Permit Coordinator at the appropriate Fish and Wildlife Office (FWO) of the U.S. Fish and Wildlife Service (Service) at least 15 days prior to conducting such activities. The appropriate FWO is determined as follows:

Sacramento Fish and Wildlife Office (SFWO):

For the Central Valley hydrographic basin and the coast ranges north of the Santa Cruz County line and south of the Mendocino County line (but including the Russian River area of southwestern Mendocino County), contact the Sacramento Fish and Wildlife Office, 2800 Cottage Way, W-2605, Sacramento, California 95825 (telephone: 916-414-6600).

Ventura Fish and Wildlife Office (VFWO):

For areas from Los Angeles County north and west of the Santa Monica pier, west of the 405 freeway, north of the San Gabriel Mountains, and west of the San Andreas Rift Zone; Ventura County; Santa Barbara County; areas in San Luis Obispo County west of the Carrizo Plain; and Monterey, San Benito, and Santa Cruz Counties in their entirety,

contact the Ventura Fish and Wildlife Office, 2493 Portola Road, Suite B, Ventura, California 93003 (telephone: 805-644-1766).

Notifications shall include, as appropriate: (a) an explanation of the purpose of the study and a clear description of methods, including the names of field personnel and the number and dates of surveys; (b) the number of individuals proposed to be captured and/or collected; (c) a map (at a minimum, a 1:24,000 scale U.S. Geological Survey (USGS) topographical map) depicting the location of the survey site(s); (d) the assessor's parcel number (APN) for the site (if possible); and (e) geographic information system (GIS) data depicting the survey site or global positioning system (GPS) coordinates (if possible). Information may be submitted electronically if pre-arranged with the Recovery Permit Coordinator.

After 15 days of the Service's receipt of the notification, the permittee may commence activities authorized by this permit unless authorization is denied by the Service. If the permittee is denied authorization to conduct the proposed activities or activities at the requested location(s), including previously authorized sites, a request for reconsideration may be submitted to the Endangered Species Division Chief at the Service's Regional Office for the Pacific Southwest Region (Region 8), 2800 Cottage Way, Room W-2606, Sacramento, California 95825-1846, as provided in 50 CFR 13.29. The procedures specified in 50 CFR 13.29(b) must be followed.

6. Authorized individuals:

Only individuals on the attached List of Authorized Individuals (List) are authorized to conduct activities pursuant to this permit. The List, printed on Service letterhead, may identify special conditions or circumstances under which individuals are authorized to conduct permitted activities and must be retained with these Special Terms and Conditions. Each named individual will be responsible for compliance with the terms and conditions of this permit.

To request changes to the List, the permittee must submit written requests to the Recovery Permit Coordinator at the SFWO at least 30 days prior to the requested effective date. The request must be signed and dated by the permittee and include:

- a. The permit number.
- b. The name of each individual to be appended to the List.
- c. The resume/qualifications statement of each person to be appended to the List, detailing their experience with each species and type of activity for which authorization is requested.
- d. The names, phone numbers and email addresses of a minimum of two references including letters of reference. Letters of reference should address the individual's qualifications for the specific activities to be conducted.

- c. The names of the individuals to be deleted from the List.

Note: This procedure is for personnel changes only. For requests to renew/amend this permit, a complete application must be submitted to the Endangered Species Division Chief at the Region 8 office.

7. Taking of the giant kangaroo rat (kangaroo rat):

The permittee is authorized to capture all kangaroo rats within the geographic boundaries specified above, and the time limitation specified in the permit. Individuals captured may be examined for species and sex identification, weighed, marked, genetically sampled, and immediately released at the capture site, and a specific number of kangaroo rats from the Ciervo-Panoche area may be sampled for genetic material, provided that:

- a. The permittee conducts all surveys in accordance with the approved *Survey Protocol for Determining Presence of San Joaquin Kangaroo Rats*, dated March 2013, unless authorized in advance by the Recovery Permit Coordinator at the appropriate FWO. The current guidance can be retrieved at the following address: http://www.fws.gov/sacramento/es/Survey-Protocols-Guidelines/es_survey.htm
- b. Only Sherman live traps with sufficient length or modification to eliminate or substantially reduce the risk of tail injury (e.g., tail lacerations or excisions) will be used to trap kangaroo rats.
- c. Traps must be checked at least twice per night, once near midnight and again at sunrise. Trapping may not be conducted if the nightly low temperature forecast is to be below 50° F and/or if extended wind, rain, or other inclement weather has made or will make conditions unsuitable for trapping, or could unduly jeopardize the lives of kangaroo rats.
- d. To minimize the potential for inadvertent take during daylight hours, traps will only be operated (i.e. left open to allow for capture) from the time that they are baited around sunset (not to exceed 2-hours before sunset) until traps are checked at sunrise.
- e. The permittee will undertake all necessary precautions, including placement of insulating materials over and/or inside traps and timely checking of traps, to minimize risk of exposure to captured animals.
- f. Captured kangaroo rats will be handled for the minimum time necessary but may be held for up to 1 hour. Kangaroo rats will then be released as near as possible to the point of capture and may be released into the mouth of a small mammal burrow or other suitable refugia.
- g. Individual kangaroo rats that display any unusual signs of extreme stress will be released into a safe area as soon as possible.

- h. To minimize the spread of pathogens, the permittee will disinfect traps that have been used outside of the range of kangaroo rats prior to using them for trapping kangaroo rats. Traps should be disinfected between survey areas to the greatest extent practicable.
- i. If a San Joaquin kangaroo rat is captured within the geographic area identified under condition 5 above, the permittee shall immediately suspend trapping and contact the Endangered Species Recovery Program (ESRP) to arrange for the collection of tissue samples. With the exception of lactating females, which shall be photographed (especially hind feet) and released immediately, the permittee shall hold the individual until an ESRP representative arrives at the survey site to collect the tissue sample. The permittee shall not resume trapping unless verbal or written permission is received from the SFWO.
- j. Taking genetic samples
 - i. Genetic samples may be removed from up to 20 individuals from up to 30 different sampling locations within the Ciervo-Panoche area.
 - ii. Genetic samples from the kangaroo rats will consist of removing hair tufts and taking mouth swabs. Genetic samples will be taken only by those individuals who have been sufficiently trained to ensure the samples are correctly removed from the animal. Training for removal of hair tufts will consist of conducting this activity for at least 4 kangaroo rats or similar mammal species under the supervision of a biologist permitted for this activity.
 - iii. Hair tufts will consist of 10 hairs removed from the back of the animal at four different locations using tweezers. This will amount to a total of 40 hairs per animal. These hairs will be plucked to ensure follicles are intact and will immediately be placed in a clean, marked vial containing 95% ethanol.
- k. Information on new localities for the kangaroo rats will be reported immediately, and this notification will be followed up in writing to the SFWO and the California Natural Diversity Database (CNDDB) as specified in condition number 14 below within 3 working days of their discovery. Information may be submitted electronically if pre-arranged with the Recovery Permit Coordinator.
- l. Within 90 days following completion of the last survey at each project site, a report will be submitted to the Recovery Permit Coordinator at the appropriate FWO following the general reporting format specified below. The report will include , but not be limited to:
 - i. The permittee will submit a survey report to the appropriate FWO in the following format: a) an introduction section addressing reasons and objectives; b) a methodology section addressing data collection and analysis procedures, the names of personnel, and the number and dates of

surveys; c) a results section that provides and summarizes the data collected and including information on any other federally listed species detected while conducting activities authorized under this permit; and d) a conclusion section that specifically provides recommendations for recovery of the species and any other pertinent observations made during survey efforts.

- ii. All data sheets should be included as attachments to the final 90-day report.
 - iii. A map (at a minimum, a 1:24,000 scale USGS topographic map) depicting the location and boundary of the survey area(s); b) a general habitat description (terrain, physical features, slope, aspect, and current and past land use) of the survey area and adjacent sites; c) a qualitative description of the plant communities (including dominant species, percent cover, etc.) on and adjacent to the survey area; d) a complete description of survey methods including the names of personnel, the number of acres surveyed per biologist per survey-day, the number and dates of surveys; the number and location of transects and traps used per survey, and the temperature and weather conditions at the beginning and end of each survey; e) the species, age, sex, number of hind toes of all kangaroo rats (regardless of species) captured, and locations of potential and active kangaroo rat burrows, and these data will be plotted on 1:200' scale map(s) of the survey area or provided in created GIS shapefiles with appropriate metadata; f) color photographs that portray the general landscape of the site, and occupied and potential burrows identifying the precise location within the project site, the direction from which the photograph was taken, date of photograph, initials of photographer, and whether or not any kangaroo rats were trapped near the burrow, g) other pertinent observations made during survey efforts; and h) the following certification statement signed by each surveyor(s) performing activities in independent status pursuant to this permit: "I certify that the information in this survey report and attached exhibits fully and accurately represents my work." The date of signature and the surveyor's permit number will be included. Information may be submitted electronically if pre-arranged with the Recovery Permit Coordinator of the appropriate FWO.
 - m. Translocation is not authorized pursuant to this recovery permit.
8. Minor deviation from the stipulated terms and conditions may be authorized on a case-by-case basis when approved by the applicable FWO unless an amendment to this permit would be required.
9. This permit does not cover any activities authorized pursuant to a biological opinion or habitat conservation plan (HCP). All such activities must be authorized by the office that wrote the biological opinion, issued the section 10(a)(1)(B) incidental take permit based on an HCP, or is the lead field office implementing the HCP. Note also that this permit is

not to be construed as meaning that the permittee or other authorized individuals are qualified to conduct activities pursuant to a biological opinion or HCP except insofar as the activities are similar to those authorized in this permit. Their qualifications for activities to be done pursuant to the biological opinion are subject to review and written approval for the specific activities by the office that wrote the biological opinion, issued the section 10(a)(1)(B) incidental take permit based on an HCP, or is the lead field office implementing the HCP.

10. This permit does not authorize take of federally listed species that are not specifically authorized pursuant to this permit. However, the Service acknowledges that incidental take of a co-occurring federally listed species could potentially occur while conducting certain permitted activities. When applicable, the following conditions now apply to all federally listed animals that the permittee is not authorized to take pursuant to this permit, but which may be incidentally sighted, encountered, captured, injured, or killed:
 - a. Each individual authorized pursuant to this permit shall be knowledgeable about potentially co-occurring listed species that may occur throughout the habitats in which permitted activities are conducted and must be observant and cautious to the extent that "take" of a co-occurring listed species is minimized to the maximum extent practicable.
 - b. Any federally listed animal that the permittee is not authorized to take pursuant to this permit, but is incidentally captured during the course of conducting authorized activities, shall be released immediately at the point of capture.
 - c. During the course of your permitted activities, if an incidental injury or mortality occurs to a federally listed species not authorized in this permit, the permittee shall follow instructions specified in condition 11 below.
 - d. Any incidental capture, injury or mortality of a federally listed species not authorized in this permit shall be recorded and reported in the annual report submitted pursuant to this permit.
 - e. We request that all incidental encounters and/or sightings of other federally listed species not authorized under this permit be recorded and reported in the annual report submitted pursuant to this permit and also reported to the California Natural Diversity Database (CNDDB) as specified in condition number 14 below.
11. The number of individuals allowed to be incidentally injured or killed during permitted activities is one kangaroo rat in any calendar year.
 - a. Any incidental injury or killing must be reported within 3 working days to the Regional Recovery Permit Coordinator (telephone: 760-431-9440) and the Recovery Permit Coordinator at the appropriate FWO.

- b. In the event that the number of individuals allowed to be incidentally injured or killed is exceeded during the performance of permitted activities, the permittee must:
 - i. Immediately cease the activity until reauthorized by the Region 8 office, which may, after analysis of the circumstances of injury or mortality, revoke or amend this permit.
 - ii. Immediately notify the Regional Recovery Permit Coordinator and the Recovery Permit Coordinator at the appropriate FWO. Within 3 working days, the permittee shall follow-up such verbal notification in writing to each office.
 - iii. With the written notification, the permittee is to provide a report of the circumstances that led to the injury or mortality. A description of the changes in protocols that will be implemented to reduce the likelihood of such injury or mortality from happening again should be included, if appropriate. A copy of this report shall also be sent to the California Department of Fish and Wildlife (CDFW), Attention: Permitting Biologist, Wildlife Branch, 1812 Ninth Street, Sacramento, California 95811 (telephone: 916-445-3764).
 - c. Dead specimens and/or appropriate parts of dead specimens that are incidentally taken pursuant to this section shall be preserved in accordance with standard museum practices. Within 120 days, the preserved specimen(s) shall be properly labeled and deposited with one of the designated repositories specified below. Specimens must be accessioned with complete collecting data. The permittee shall supply the repository with a copy of this permit to validate that the specimens supplied to the museum were taken pursuant to a permit. Collection data (e.g., dates and location) and deposition of carcasses by the permittee must be reported in the subsequent annual report.
12. The permittee is authorized to salvage all kangaroo rat carcasses and provide them to one of the designated repositories within 120 days by following condition number 11(c) above. Any specimens salvaged will be documented and specified in the annual report submitted to the appropriate field office.
13. Designated repositories:
- The Department of Evolution and Ecology, University of California, Davis, California; the Museum of Vertebrate Zoology, University of California, Berkeley, California; the Vertebrate Museum, California State University, Hayward, California; the Vertebrate Museum, California State University, San Jose, California; the California Academy of Sciences, Golden Gate Park, San Francisco, California; the Western Foundation of Vertebrate Zoology, Camarillo, California; the Museum of Systematics and Ecology, Biological Sciences, Evolution Ecology and Marine Biology Department, University of

California, Santa Barbara, California; or the Los Angeles County Museum of Natural History, Los Angeles, California or any institution designated by the SFWO or the VFWO.

14. California Natural Diversity Database forms shall be completed, as appropriate, for each listed species addressed herein and submitted to the Biogeographic Data Branch, CDFW, 1416 9th Street, Suite 1266, Sacramento, California 95814 (also accessible online at: <http://www.dfg.ca.gov/biogeodata/cnddb>), with copies submitted to the appropriate FWO. Copies of the form can be obtained from the CDFW at the above address (telephone: 916-322-2493)
15. All reports or other documents that include information gathered under the authority of this permit (e.g., reports prepared by consulting firms for their clients, theses, or scientific journal articles) shall reference this permit number. Copies of such documents shall include a transmittal letter and be provided to the Recovery Permit Coordinator at the appropriate FWO upon their completion. Draft documents, raw/field data, and other information resulting from work conducted under the authority of this permit shall be submitted to the Service upon request.
16. Annual reports:

In order to track, document, and assess all project-specific activities conducted pursuant to this permit, we are requiring an annual summary report be submitted to the Recovery Permit Coordinator of each FWO specified in condition number 5 above by January 31, following each year this permit is in effect, that summarizes all of the activities conducted during the previous calendar year. Activities that are continuous (i.e., overlapping in two or more calendar years), must be reported each year the activity is in effect. These reports may be submitted electronically if pre-arranged with the Recovery Permit Coordinator. The annual summary report will include but not be limited to the following:

 - a. Permittee name and permit number with date of expiration.
 - b. A section listing all authorized activities conducted for each permitted species during the previous calendar year. This information can be in tabular format and should provide a summary of each activity for each species authorized in this permit. This section will include but not be limited to:
 - i. The name and title of each permitted activity conducted during the previous calendar year (preferably the same title as the reports previously or concurrently being submitted to the Service as specified in condition 7(l) above).
 - ii. The version of each activity report (draft or final) and the report date. If a draft report was submitted, indicate the reason (ongoing activities, processing or analysis of data, final report in review, final report in progress, etc.) and the anticipated final report finish date.

- 4-29-16
-
- Date

19



United States Department of the Interior
FISH AND WILDLIFE SERVICE
Pacific Southwest Region
2800 Cottage Way, Suite W-2606
Sacramento, California 95825-1846



LIST OF AUTHORIZED INDIVIDUALS
TE-37418A-3

1. Individual authorized to independently conduct all activities pursuant to this permit:

William T. Bean and Nathan Alexander.

2. Individuals authorized to accept and analyze genetic material taken from kangaroo rats pursuant to this permit:

Dr. Benjamin Sachs and Dr. Mark Statham (University of California, Davis)

Other individuals may conduct activities pursuant to this permit only under the direct, on-site supervision of an independently authorized individual specified above. "On-site supervision" is defined as an unauthorized person conducting activities within 3 meters (9.8 feet) of an authorized individual.

4-29-11

Date


For Endangered Species Division Chief

This List is only valid if it is dated on or after the permit issuance date.

Attachment C
Indian Trust Assets Concurrence Memo

**Indian Trust Assets
Request Form**

****Please send your request to: Richard Stevenson, rstevenson@usbr.gov**

Date:

| | |
|---|--|
| Requested by | Jamie LeFevre, x 5035 |
| Fund | 15XR0680A3 |
| WBS | RX304249930250000 |
| Cost Center | 2015200 |
| Region # (if other than MP) | (NA) |
| Project Name | Evaluation of Integrating adaptation and phenotypic plasticity into models of habitat connectivity for the Ciervo-Panoche giant kangaroo rat to manage for persistence in the face of climate change. |
| CEC or EA Number | MP-CEC-15- |
| Project Description | Reclamation proposes to provide \$355,931 from the Central Valley Project Improvement Act Habitat Restoration Program to the Hollister Field Office of the U.S. Bureau of Land Management (BLM), through an Interagency Agreement to identify and characterize high value habitat for the northern giant kangaroo rat (<i>Dipodomys ingens</i>) (GKR) in the Ciervo-Panoche Natural Area (CPNA) of western Fresno and eastern San Benito Counties, California. Through the Agreement, BLM will provide funds to researchers from Humboldt State University (HSU) and UC Davis to conduct the GKR trapping, lab analysis, and habitat modeling. |
| *Project Location (Township, Range, Section, e.g., T12 R5E S10, or XY cords) | Trapping will occur in the northern CPNA in Fresno and San Benito Counties (Figure 1). The latitude and longitude for the CPNA is 36.599/-120.741 |

***Please include map with request, if available.**

ITA Determination:

The closest ITA to the proposed Ciervo-Panoche giant kangaroo rat activity is public domain allotment 50H CA12519 located about 35.6 miles to the northwest (see attached image).

Based on the nature of the planned work it does not appear to be in an area that will impact Indian hunting or fishing resources or water rights nor is the proposed activity on actual Indian lands. It is reasonable to assume that the proposed action will not have any impacts on ITAs.



Richard M. Stevenson

Signature

Printed name of approver

July 30, 2015

Date

