

United States Department of the Interior



FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825



March 5, 2015

Document Number: 150305102524

Carlos Alvarado
Ascent Environmental
455 Capitol Mall Suite 300
Sacramento, CA 95814

Subject: Species List for Nishi Gateway Project

Dear: Mr. Alvarado

We are sending this official species list in response to your March 5, 2015 request for information about endangered and threatened species. The list covers the California counties and/or U.S. Geological Survey 7½ minute quad or quads you requested.

Our database was developed primarily to assist Federal agencies that are consulting with us. Therefore, our lists include all of the sensitive species that have been found in a certain area *and also ones that may be affected by projects in the area*. For example, a fish may be on the list for a quad if it lives somewhere downstream from that quad. Birds are included even if they only migrate through an area. In other words, we include all of the species we want people to consider when they do something that affects the environment.

Please read Important Information About Your Species List (below). It explains how we made the list and describes your responsibilities under the Endangered Species Act.

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed and candidate species in your planning, this should not be a problem. However, we recommend that you get an updated list every 90 days. That would be June 03, 2015.

Please contact us if your project may affect endangered or threatened species or if you have any questions about the attached list or your responsibilities under the Endangered Species Act. A list of Endangered Species Program contacts can be found http://www.fws.gov/sacramento/es/Branch-Contacts/es_branch-contacts.htm.

Endangered Species Division

U.S. Fish & Wildlife Service
Sacramento Fish & Wildlife Office

**Federal Endangered and Threatened Species that Occur in
or may be Affected by Projects in the Counties and/or
U.S.G.S. 7 1/2 Minute Quads you requested**

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Current as of: March 5, 2015

Quad Lists

Listed Species

Invertebrates

- Branchinecta conservatio*
Conservancy fairy shrimp (E)
- Branchinecta lynchi*
vernal pool fairy shrimp (T)
- Desmocerus californicus dimorphus*
valley elderberry longhorn beetle (T)
- Lepidurus packardii*
Critical habitat, vernal pool tadpole shrimp (X)
vernal pool tadpole shrimp (E)

Fish

- Hypomesus transpacificus*
Critical habitat, delta smelt (X)
delta smelt (T)
- Oncorhynchus mykiss*
Central Valley steelhead (T) (NMFS)
- Oncorhynchus tshawytscha*
Central Valley spring-run chinook salmon (T) (NMFS)
winter-run chinook salmon, Sacramento River (E) (NMFS)

Amphibians

- Ambystoma californiense*
California tiger salamander, central population (T)
- Rana draytonii*
California red-legged frog (T)

Reptiles

- Thamnophis gigas*
giant garter snake (T)

Birds

- Charadrius alexandrinus nivosus*
western snowy plover (T)
- Coccyzus americanus occidentalis*
Western yellow-billed cuckoo (T)

Plants

- Neostapfia colusana*
Critical habitat, Colusa grass (X)
- Tuctoria mucronata*
Critical habitat, Solano grass (=Crampton's tuctoria) (X)

Quads Containing Listed, Proposed or Candidate Species:

County Lists

Listed Species

Invertebrates

Apodemia mormo langei
Lange's metalmark butterfly (E)

S

Branchinecta conservatio
Conservancy fairy shrimp (E)
Critical habitat, Conservancy fairy shrimp (X)

S

Branchinecta lynchi
Critical habitat, vernal pool fairy shrimp (X)
vernal pool fairy shrimp (T)

S

Desmocerus californicus dimorphus
valley elderberry longhorn beetle (T)

S

Elaphrus viridis
Critical habitat, delta green ground beetle (X)
delta green ground beetle (T)

S

Incisalia mossii bayensis
San Bruno elfin butterfly (E)

S

Lepidurus packardi
Critical habitat, vernal pool tadpole shrimp (X)
vernal pool tadpole shrimp (E)

S

Speyeria callippe callippe
callippe silverspot butterfly (E)

S

Speyeria zerene myrtleae
Myrtle's silverspot butterfly (E)

S

Syncaris pacifica
California freshwater shrimp (E)

S

Fish

Acipenser medirostris
green sturgeon (T) (NMFS)

S

Eucyclogobius newberryi
tidewater goby (E)

S

Hypomesus transpacificus
Critical habitat, delta smelt (X)
delta smelt (T)

S

Oncorhynchus kisutch
coho salmon - central CA coast (E) (NMFS)

S

Oncorhynchus mykiss
Central California Coastal steelhead (T) (NMFS)
Central Valley steelhead (T) (NMFS)
Critical habitat, Central California coastal steelhead (X) (NMFS)
Critical habitat, Central Valley steelhead (X) (NMFS)

S

Oncorhynchus tshawytscha
Central Valley spring-run chinook salmon (T) (NMFS)
Critical Habitat, Central Valley spring-run chinook (X) (NMFS)
Critical habitat, winter-run chinook salmon (X) (NMFS)
winter-run chinook salmon, Sacramento River (E) (NMFS)

S

Amphibians

Ambystoma californiense
California tiger salamander, central population (T)
Critical habitat, CA tiger salamander, central population (X)

S

Rana draytonii
California red-legged frog (T)
Critical habitat, California red-legged frog (X)

S

Reptiles

Masticophis lateralis euryxanthus
Alameda whipsnake [=striped racer] (T)
Critical habitat, Alameda whipsnake (X)

S

Thamnophis gigas
giant garter snake (T)

S

Birds

Charadrius alexandrinus nivosus
western snowy plover (T)

S

Coccyzus americanus occidentalis
Western yellow-billed cuckoo (T)

S

Pelecanus occidentalis californicus
California brown pelican (E)

S

Rallus longirostris obsoletus
California clapper rail (E)

S

Sternula antillarum (=Sterna, =albifrons) browni
California least tern (E)

S

Strix occidentalis caurina
northern spotted owl (T)

S

Vireo bellii pusillus
Least Bell's vireo (E)

S

Mammals

Reithrodontomys raviventris
salt marsh harvest mouse (E)

S

Vulpes macrotis mutica
San Joaquin kit fox (E)

S

Plants

Blennosperma bakeri
Baker's stickyseed [=Sonoma Sunshine] (E)

S

Castilleja affinis ssp. neglecta
Tiburon paintbrush (E)

S

Cirsium hydrophilum var. hydrophilum
Suisun thistle (E)

S

Cordylanthus mollis ssp. mollis
soft bird's-beak (E)

S

Cordylanthus palmatus
palmate-bracted bird's-beak (E)
S

Erysimum capitatum ssp. angustatum
Contra Costa wallflower (E)
Critical Habitat, Contra Costa wallflower (X)
S

Holocarpha macradenia
Santa Cruz tarplant (T)
S

Lasthenia conjugens
Contra Costa goldfields (E)
Critical habitat, Contra Costa goldfields (X)
S

Limnanthes vinculans
Sebastopol meadowfoam (E)
S

Navarretia leucocephala ssp. pauciflora
few-flowered navarretia (E)
S

Neostapfia colusana
Colusa grass (T)
Critical habitat, Colusa grass (X)
S

Oenothera deltooides ssp. howellii
Antioch Dunes evening-primrose (E)
Critical habitat, Antioch Dunes evening-primrose (X)
S

Orcuttia inaequalis
San Joaquin Valley Orcutt grass (T)
S

Sidalcea keckii
Keck's checker-mallow (=checkerbloom) (E)
S

Trifolium amoenum
showy Indian clover (E)
S

Tuctoria mucronata
Critical habitat, Solano grass (=Crampton's tuctoria) (X)
Solano grass (=Crampton's tuctoria) (E)
S

Proposed Species

Amphibians

Anaxyrus canorus

Yosemite toad (PX)

S

Plants

Cirsium hydrophilum var. *hydrophilum*

Critical habitat, Suisun thistle (PX)

S

Cordylanthus mollis ssp. *mollis*

Critical habitat, soft bird's-beak (PX)

S

Key:

(E) *Endangered* - Listed as being in danger of extinction.

(T) *Threatened* - Listed as likely to become endangered within the foreseeable future.

(P) *Proposed* - Officially proposed in the Federal Register for listing as endangered or threatened.

(NMFS) Species under the Jurisdiction of the [National Oceanic & Atmospheric Administration Fisheries Service](#). Consult with them directly about these species.

Critical Habitat - Area essential to the conservation of a species.

(PX) *Proposed Critical Habitat* - The species is already listed. Critical habitat is being proposed for it.

(C) *Candidate* - Candidate to become a proposed species.

(V) Vacated by a court order. Not currently in effect. Being reviewed by the Service.

(X) *Critical Habitat* designated for this species

Important Information About Your Species List

How We Make Species Lists

We store information about endangered and threatened species lists by U.S. Geological Survey 7½ minute quads. The United States is divided into these quads, which are about the size of San Francisco.

The animals on your species list are ones that occur within, **or may be affected by** projects within, the quads covered by the list.

- Fish and other aquatic species appear on your list if they are in the same watershed as your quad or if water use in your quad might affect them.
- Amphibians will be on the list for a quad or county if pesticides applied in that area may be carried to their habitat by air currents.
- Birds are shown regardless of whether they are resident or migratory. Relevant birds on the county list should be considered regardless of whether they appear on a quad list.

Plants

Any plants on your list are ones that have actually been observed in the area covered by the list. Plants may exist in an area without ever having been detected there. You can find out what's in the surrounding quads through the California Native Plant Society's online [Inventory of Rare and Endangered Plants](#).

Surveying

Some of the species on your list may not be affected by your project. A trained biologist and/or botanist, familiar with the habitat requirements of the species on your list, should determine whether they or habitats suitable for them may be affected by your project. We recommend that your surveys include any proposed and candidate species on your list. See our [Protocol](#) and [Recovery Permits](#) pages.

For plant surveys, we recommend using the [Guidelines for Conducting and Reporting Botanical Inventories](#). The results of your surveys should be published in any environmental documents prepared for your project.

Your Responsibilities Under the Endangered Species Act

All animals identified as listed above are fully protected under the Endangered Species Act of 1973, as amended. Section 9 of the Act and its implementing regulations prohibit the take of a federally listed wildlife species. Take is defined by the Act as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" any such animal.

Take may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or shelter (50 CFR §17.3).

Take incidental to an otherwise lawful activity may be authorized by one of two procedures:

- If a Federal agency is involved with the permitting, funding, or carrying out of a project that may result in take, then that agency must engage in a formal [consultation](#) with the Service.

During formal consultation, the Federal agency, the applicant and the Service work together to avoid or minimize the impact on listed species and their habitat. Such consultation would result in a biological opinion by the Service addressing the anticipated effect of the project on listed and proposed species. The opinion may authorize a limited level of incidental take.

- If no Federal agency is involved with the project, and federally listed species may be taken as part of the project, then you, the applicant, should apply for an incidental take permit. The Service may issue such a permit if you submit a satisfactory conservation plan for the species that would be affected by your project.

Should your survey determine that federally listed or proposed species occur in the area and are likely to be affected by the project, we recommend that you work with this office and the California Department of Fish and Game to develop a plan that minimizes the project's direct and indirect impacts to listed species and compensates for project-related loss of habitat. You should include the plan in any environmental documents you file.

Critical Habitat

When a species is listed as endangered or threatened, areas of habitat considered essential to its conservation may be designated as critical habitat. These areas may require special management considerations or protection. They provide needed space for growth and normal behavior; food, water, air, light, other nutritional or physiological requirements; cover or shelter; and sites for breeding, reproduction, rearing of offspring, germination or seed dispersal.

Although critical habitat may be designated on private or State lands, activities on these lands are not restricted unless there is Federal involvement in the activities or direct harm to listed wildlife.

If any species has proposed or designated critical habitat within a quad, there will be a separate line for this on the species list. Boundary descriptions of the critical habitat may be found in the Federal Register. The information is also reprinted in the Code of Federal Regulations (50 CFR 17.95). See our [Map Room](#) page.

Candidate Species

We recommend that you address impacts to candidate species. We put plants and animals on our candidate list when we have enough scientific information to eventually propose them for listing as threatened or endangered. By considering these species early in your planning process you may be able to avoid the problems that could develop if one of these candidates was listed before the end of your project.

Species of Concern

The Sacramento Fish & Wildlife Office no longer maintains a list of species of concern. However, various other agencies and organizations maintain lists of at-risk species. These lists provide essential information for land management planning and conservation efforts.

[More info](#)

Wetlands

If your project will impact wetlands, riparian habitat, or other jurisdictional waters as defined by section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act, you will need to obtain a permit from the U.S. Army Corps of Engineers. Impacts to wetland habitats require site specific mitigation and monitoring. For questions regarding wetlands, please contact Mark Littlefield of this office at (916) 414-6520.

Updates

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed and candidate species in your planning, this should not be a problem. However, we recommend that you get an updated list every 90 days. That would be June 03, 2015.