

APPENDIX B: U.S. FISH AND WILDLIFE SERVICE SPECIES LIST

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United States Department of the Interior



FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office

FEDERAL BUILDING, 2800 COTTAGE WAY, ROOM W-2605

SACRAMENTO, CA 95825

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Consultation Code: 08ESMF00-2017-SLI-0326

November 22, 2016

Event Code: 08ESMF00-2017-E-00613

Project Name: California High Speed Rail System: Merced to Fresno Section - Central Valley Wye

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and

the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: California High Speed Rail System: Merced to Fresno Section - Central Valley Wye

Official Species List

Provided by:

Sacramento Fish and Wildlife Office
FEDERAL BUILDING
2800 COTTAGE WAY, ROOM W-2605
SACRAMENTO, CA 95825
(916) 414-6600

Consultation Code: 08ESMF00-2017-SLI-0326

Event Code: 08ESMF00-2017-E-00613

Project Type: TRANSPORTATION

Project Name: California High Speed Rail System: Merced to Fresno Section - Central Valley Wye

Project Description: To be provided in future BA when reinitiating consultation for Merced to Fresno Section (USFWS File No. 08ESMF00-2012-F-0248)

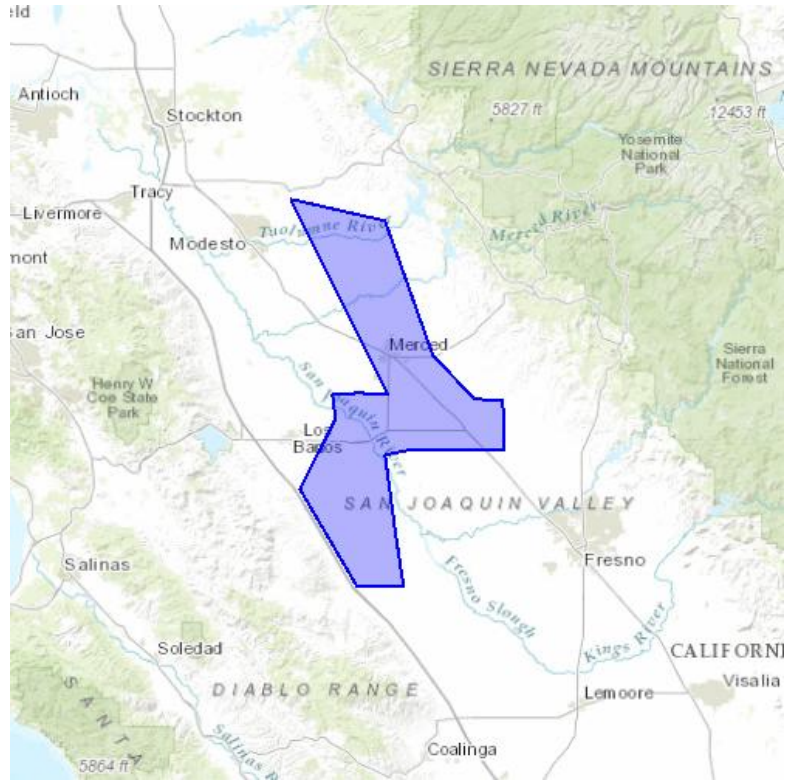
Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

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Project Location Map:



Project Coordinates: MULTIPOLYGON (((-120.50079345703125 37.6816466602918, -120.84136962890625 37.74465712069939, -120.48809051513672 37.18739913717396, -120.60791015625 37.18876668723709, -120.62164306640625 37.18767264916781, -120.68893432617188 37.18548452548039, -120.68069458007812 37.11570487355921, -120.80566406250001 36.914764288955936, -120.60241699218751 36.63536611993544, -120.52139282226561 36.634264115641535, -120.43212890625 36.634264115641535, -120.46234130859376 36.78069226486259, -120.50354003906249 37.01351910258053, -120.41564941406251 37.02544329968948, -120.29205322265625 37.02530625058412, -120.18373489379883 37.02544329968948, -120.07455825805665 37.025032151631635, -120.07438659667967 37.08380372615988, -120.07472991943358 37.16948194429609, -120.17807006835938 37.170986604838866, -120.32844543457031 37.29590550406618, -120.50079345703125 37.6816466602918)))

Project Counties: Fresno, CA | Madera, CA | Merced, CA | Stanislaus, CA



United States Department of Interior
Fish and Wildlife Service

Project name: California High Speed Rail System: Merced to Fresno Section - Central Valley Wye

Endangered Species Act Species List

There are a total of 25 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Amphibians	Status	Has Critical Habitat	Condition(s)
California red-legged frog (<i>Rana draytonii</i>) Population: Wherever found	Threatened	Final designated	
California tiger Salamander (<i>Ambystoma californiense</i>) Population: U.S.A. (Central CA DPS)	Threatened	Final designated	
Birds			
California condor (<i>Gymnogyps californianus</i>) Population: U.S.A. only, except where listed as an experimental population	Endangered	Final designated	
Yellow-Billed Cuckoo (<i>Coccyzus americanus</i>) Population: Western U.S. DPS	Threatened	Proposed	
Crustaceans			
Conservancy fairy shrimp (<i>Branchinecta conservatio</i>) Population: Wherever found	Endangered	Final designated	



United States Department of Interior
Fish and Wildlife Service

Project name: California High Speed Rail System: Merced to Fresno Section - Central Valley Wye

Vernal Pool fairy shrimp (<i>Branchinecta lynchi</i>) Population: Wherever found	Threatened	Final designated	
Vernal Pool tadpole shrimp (<i>Lepidurus packardii</i>) Population: Wherever found	Endangered	Final designated	
Fishes			
Delta smelt (<i>Hypomesus transpacificus</i>) Population: Wherever found	Threatened	Final designated	
steelhead (<i>Oncorhynchus (=salmo) mykiss</i>) Population: Northern California DPS	Threatened		
Flowering Plants			
Colusa grass (<i>Neostapfia colusana</i>) Population: Wherever found	Threatened	Final designated	
Fleshy owl's-clover (<i>Castilleja campestris ssp. succulenta</i>) Population: Wherever found	Threatened	Final designated	
Greene's tuctoria (<i>Tuctoria greenei</i>) Population: Wherever found	Endangered	Final designated	
Hairy Orcutt grass (<i>Orcuttia pilosa</i>) Population: Wherever found	Endangered	Final designated	
Hartweg's Golden sunburst (<i>Pseudobahia bahiifolia</i>) Population: Wherever found	Endangered		
Hoover's spurge (<i>Chamaesyce hooveri</i>)	Threatened	Final designated	



United States Department of Interior
Fish and Wildlife Service

Project name: California High Speed Rail System: Merced to Fresno Section - Central Valley Wye

Population: Wherever found			
Keck's Checker-mallow (<i>Sidalcea keckii</i>) Population: Wherever found	Endangered	Final designated	
Palmate-Bracted bird's beak (<i>Cordylanthus palmatus</i>) Population: Wherever found	Endangered		
San Joaquin Orcutt grass (<i>Orcuttia inaequalis</i>) Population: Wherever found	Threatened	Final designated	
San Joaquin wooly-threads (<i>Monolopia (=lambertia) congdonii</i>) Population: Wherever found	Endangered		
Insects			
Valley Elderberry Longhorn beetle (<i>Desmocerus californicus dimorphus</i>) Population: Wherever found	Threatened	Final designated	
Mammals			
Fresno kangaroo rat (<i>Dipodomys nitratoides exilis</i>) Population: Wherever found	Endangered	Final designated	
Giant kangaroo rat (<i>Dipodomys ingens</i>) Population: Wherever found	Endangered		
San Joaquin Kit fox (<i>Vulpes macrotis mutica</i>) Population: wherever found	Endangered		
Reptiles			



United States Department of Interior
Fish and Wildlife Service

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Wye

Blunt-Nosed Leopard lizard (<i>Gambelia silus</i>) Population: Wherever found	Endangered		
Giant Garter snake (<i>Thamnophis gigas</i>) Population: Wherever found	Threatened		



United States Department of Interior
Fish and Wildlife Service

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Critical habitats that lie within your project area

The following critical habitats lie fully or partially within your project area.

Amphibians	Critical Habitat Type
California tiger Salamander (<i>Ambystoma californiense</i>) Population: U.S.A. (Central CA DPS)	Final designated
Crustaceans	
Conservancy fairy shrimp (<i>Branchinecta conservatio</i>) Population: Wherever found	Final designated
Vernal Pool fairy shrimp (<i>Branchinecta lynchi</i>) Population: Wherever found	Final designated
Vernal Pool tadpole shrimp (<i>Lepidurus packardi</i>) Population: Wherever found	Final designated
Flowering Plants	
Colusa grass (<i>Neostapfia colusana</i>) Population: Wherever found	Final designated
Fleshy owl's-clover (<i>Castilleja campestris ssp. succulenta</i>) Population: Wherever found	Final designated
Greene's tuctoria (<i>Tuctoria greenei</i>) Population: Wherever found	Final designated
Hairy Orcutt grass (<i>Orcuttia pilosa</i>) Population: Wherever found	Final designated
Hoover's spurge (<i>Chamaesyce hooveri</i>) Population: Wherever found	Final designated



United States Department of Interior
Fish and Wildlife Service

Project name: California High Speed Rail System: Merced to Fresno Section - Central Valley
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San Joaquin Orcutt grass (<i>Orcuttia inaequalis</i>) Population: Wherever found	Final designated
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