Appendix F U.S. Fish and Wildlife Service List of Threatened and Endangered Species



United States Department of the Interior

FISH AND WILDLIFE SERVICE San Francisco Bay-Delta Fish And Wildlife 650 Capitol Mall Suite 8-300 Sacramento, CA 95814 Phone: (916) 930-5603 Fax: (916) 930-5654 <u>http://kim_squires@fws.gov</u>



In Reply Refer To: Consultation Code: 08FBDT00-2021-SLI-0084 Event Code: 08FBDT00-2021-E-00208 Project Name: West Oakland Link February 01, 2021

Subject: List of threatened and endangered species that may occur in your proposed project location 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, 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 U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

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 ht www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

http://

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(s):

Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

San Francisco Bay-Delta Fish And Wildlife

650 Capitol Mall Suite 8-300 Sacramento, CA 95814 (916) 930-5603

This project's location is within the jurisdiction of multiple offices. Expect additional species list documents from the following office, and expect that the species and critical habitats in each document reflect only those that fall in the office's jurisdiction:

Sacramento Fish And Wildlife Office

Federal Building 2800 Cottage Way, Room W-2605 Sacramento, CA 95825-1846 (916) 414-6600

Project Summary

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Consultation Code:	08FBDT00-2021-SLI-0084
Event Code:	08FBDT00-2021-E-00208
Project Name:	West Oakland Link
Project Type:	** OTHER **
Project Description:	The proposed project is the West Oakland Link (Project or Link). It is a
	new bicycle/pedestrian path connection between West Oakland and the
	bike path leading to the East Span of the San Francisco Oakland Bay
	Bridge (Bay Bridge) in Oakland, California. The Link would provide safe
	access to the newly constructed bicycle/ pedestrian path connecting to and
	on the Bay Bridge (Bay Bridge Trail), as well as access to existing and
	planned segments of the regional San Francisco Bay Trail and a
	connection between West Oakland and the Port via the Class I trail along
	the east side of Maritime Street.
Project Location:	

Approximate location of the project can be viewed in Google Maps: <u>https://www.google.com/maps/@37.8204801,-122.29326774642007,14z</u>



Counties: Alameda County, California

Endangered Species Act Species

There is a total of 12 threatened, endangered, or candidate species on this 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.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Salt Marsh Harvest Mouse <i>Reithrodontomys raviventris</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/613</u>	Endangered
Birds NAME	STATUS
California Clapper Rail <i>Rallus longirostris obsoletus</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/4240</u>	Endangered
California Least Tern <i>Sterna antillarum browni</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/8104</u>	Endangered
 Western Snowy Plover Charadrius nivosus nivosus Population: Pacific Coast population DPS-U.S.A. (CA, OR, WA), Mexico (within 50 miles of Pacific coast) There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: <u>https://ecos.fws.gov/ecp/species/8035</u> 	Threatened

NAME	STATUS
Alameda Whipsnake (=striped Racer) <i>Masticophis lateralis euryxanthus</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: <u>https://ecos.fws.gov/ecp/species/5524</u>	Threatened
Green Sea Turtle <i>Chelonia mydas</i> Population: East Pacific DPS No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/6199</u>	Threatened
Amphibians NAME	STATUS
California Red-legged Frog <i>Rana draytonii</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: <u>https://ecos.fws.gov/ecp/species/2891</u>	Threatened
Fishes NAME	STATUS
Delta Smelt <i>Hypomesus transpacificus</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: <u>https://ecos.fws.gov/ecp/species/321</u>	Threatened
Tidewater Goby <i>Eucyclogobius newberryi</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: <u>https://ecos.fws.gov/ecp/species/57</u>	Endangered
Insects NAME	STATUS
San Bruno Elfin Butterfly <i>Callophrys mossii bayensis</i> There is proposed critical habitat for this species. The location of the critical habitat is not available. Species profile: <u>https://ecos.fws.gov/ecp/species/3394</u>	Endangered
Flowering Plants	STATUS
•	STATUS Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

NMFS Species List¹

Quad Name Oakland West Quad Number 37122-G3

ESA Anadromous Fish

SONCC Coho ESU (T) -CCC Coho ESU (E) -CC Chinook Salmon ESU (T) -CVSR Chinook Salmon ESU (T) - X SRWR Chinook Salmon ESU (E) - X NC Steelhead DPS (T) -CCC Steelhead DPS (T) -SCCC Steelhead DPS (T) -SC Steelhead DPS (E) -CCV Steelhead DPS (E) -CCV Steelhead DPS (T) -SDPS Green Sturgeon (T) - X

ESA Anadromous Fish Critical Habitat

SONCC Coho Critical Habitat -CCC Coho Critical Habitat -CC Chinook Salmon Critical Habitat -CVSR Chinook Salmon Critical Habitat -SRWR Chinook Salmon Critical Habitat -X NC Steelhead Critical Habitat -CCC Steelhead Critical Habitat -SCCC Steelhead Critical Habitat -SC Steelhead Critical Habitat -CCV Steelhead Critical Habitat -Eulachon Critical Habitat -

ESA Marine Invertebrates

¹ Species or critical habitat designations marked with an "X" marked may occur within the Oakland West quadrant. Species or critical habitat designations that are not marked with an "X" do not occur within the Oakland West quadrant.

Range Black Abalone (E) -Range White Abalone (E) -

ESA Marine Invertebrates Critical Habitat

Black Abalone Critical Habitat -

ESA Sea Turtles

East Pacific Green Sea Turtle (T) -Olive Ridley Sea Turtle (T/E) -Leatherback Sea Turtle (E) -North Pacific Loggerhead Sea Turtle (E) -

ESA Whales

Blue Whale (E) -Fin Whale (E) -Humpback Whale (E) -Southern Resident Killer Whale (E) -North Pacific Right Whale (E) -Sei Whale (E) -Sperm Whale (E) -

ESA Pinnipeds

Guadalupe Fur Seal (T) -

Steller Sea Lion Critical Habitat -

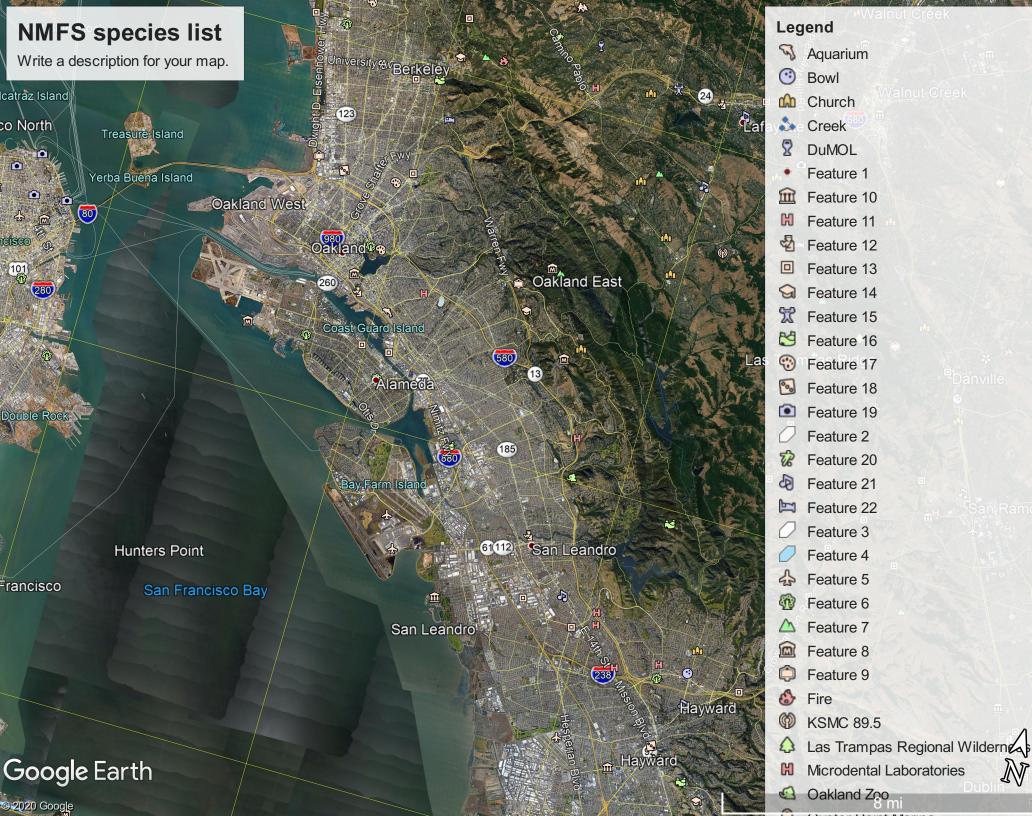
Essential Fish Habitat

Coho EFH -	Х	
Chinook Salmon EFH -	Х	
Groundfish EFH -	Х	
Coastal Pelagics EFH -	Х	
Highly Migratory Species EFH -		

MMPA Species

ESA and MMPA Cetaceans/Pinnipeds

MMPA Cetaceans -MMPA Pinnipeds - X



N