

APPENDIX C: U.S. FISH AND WILDLIFE SERVICE SECTION 7 CONSULTATION



U.S. Department
of Transportation
**Federal Highway
Administration**

Central Federal Lands Highway Division

March 8, 2018

12300 West Dakota Avenue
Suite 380A
Lakewood, CO 80228-2583
Office: 720-963-3668
Fax: 720-963-3596
Nathan.Allen@dot.gov

In Reply Refer To:
HFPM-16

Sacramento Fish and Wildlife Service
Attn: Leife Goude
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825

Subject: Section 7 Consultation for Sir Francis Drake Boulevard Improvement Project
CA FLAP CR109(1)
Addendum to the Biological Assessment

Dear Mr. Goude:

Since the submittal of the Biological Assessment (BA) in 2014 and the subsequent addendum and mitigation plan in 2015, the Federal Highway Administration Central Federal Lands Highway Division (FHWA-CFLHD) has modified the Action Alternative to further improve conditions along Sir Francis Drake Boulevard (SFDB) and to provide detail to the mitigation approach to compensate for impacts related to the roadway project. Changes to the Action Alternative include: (1) installing a bridge at Schooner Creek; (2) installing biotechnical bank stabilization along a portion of East Schooner Creek; and (3) re-establishing a historic wetland at Drakes Beach and reconfiguring the parking lot. In addition, the design of the California red-legged frog aquatic breeding habitat on Home Ranch has substantially progressed since the 2015 submittal. Enclosed is an addendum to the BA to supplement and continue formal consultation under Section 7(a)(2) of the Endangered Species Act (ESA).

Since the development of the BA in 2014, additional species have been listed or included in the Information for Planning and Consultation list as potentially occurring in the project area. These include the yellow-billed cuckoo (*Coccyzus americanus*) and San Bruno elfin butterfly (*Callophrys mossii bayensis*). There is no designated critical habitat for the yellow-billed cuckoo within the project area and critical habitat has not been designated for the San Bruno elfin butterfly. Based on an assessment of potential impacts to these species, it was determined the project **may affect, but is not likely to adversely affect**, the yellow-billed cuckoo and would have **no effect** to the San Bruno elfin butterfly.

In addition, based on the modifications to the Action Alternative, it was concluded that the findings of **may affect, not likely to adversely affect**, for the northern spotted owl (*Strix occidentalis caurina*) and Myrtle's silverspot butterfly (*Speyeria zerene myrtleae*) are still valid. There is no designated critical habitat in the project area for either the northern spotted owl or the

Myrtle's silverspot butterfly. We request your concurrence with our "not likely to adversely affect" determinations, and hereby request informal consultation under Section 7 of the ESA for these species.

As noted in previous correspondence, FHWA-CFLHD has determined the project **may affect, and is likely to adversely affect**, the California red-legged frog (*Rana draytonii*) and its designated critical habitat. For these reasons, FHWA-CFLHD initiated formal consultation under Section 7 of the ESA in 2015. These findings of effect for the California red-legged frog and its designated critical habitat are still valid. The attached addendum includes updated impacts for designated critical habitat. In addition, more detailed plans are included for the two mitigation sites located on Home Ranch.

If you require further information or have questions, please contact Timberley Belish, Environmental Protection Specialist, by email at timberley.belish@dot.gov or by phone at (720) 963-3683.

Thank you for your cooperation and assistance.

Sincerely yours,



Nate Allen, P.E.
Project Manager

Enclosure: Biological Assessment Addendum