NEPA/CEQA RE-VALIDATION FORM (rev. 09/2024)

DIST-CO-RTE: 01-LAK-0/CR
PM/PM:
EA or Fed-Aid Project No.: 281714, 281724
Other Project No. (specify): RPSTPLE-5914(042)/(043), PPNO 3032R/3033R
Project Title: South Main Street and Soda Bay Road Corridor Improvement Project
Environmental Approval Type: EA/FONSI
Date Approved: 12/19/12
Reason for Consultation (23 CFR 771.129): ☒ Project proceeding to next major federal approval ☒ Change in scope, setting, effects, mitigation measures, requirements ☐ 3-year timeline (EIS only) ☐ **N/A** (Re-Validation for CEQA only)
Description of Changed Conditions: The project has been modified to accommodate nighttime construction, there are changes in environmental circumstances (i.e., listed species status), and there are changes to the avoidance and minimization measures since the environmental document was approved.

NEPA CONCLUSION - VALIDITY

Based on an examination of the changed conditions and supporting information: (*Check ONE of the three statements below, regarding the validity of the original document/determination (23 CFR 771.129). If document is no longer valid, indicate whether additional public review is warranted and whether the type of environmental document will be elevated.* ***NOTE:*** *If applicable, remember to check conformity status. See the SER Vol. 1, Chapter 11 and contact the District Air Quality Specialist for additional information.)*

☐ **The original environmental document or CE remains valid. No further documentation will be prepared.**

☒ **The original environmental document or CE is in need of updating; further documentation has been prepared and ☐ is included on the continuation sheet(s) or ☒ is attached. With this additional documentation, the original ED or CE remains valid.**
Additional public review is warranted (23 CFR 771.111(h)(3)) ☐ Yes ☐ No

☐ **The original environmental document or CE is no longer valid.**
Additional public review is warranted (23 CFR 771.111(h)(3)) ☐ Yes ☐ No
Supplemental environmental document is needed. ☐ Yes ☐ No
New environmental document is needed. ☐ Yes ☐ No (If "Yes," specify type:)

CONCURRENCE WITH NEPA CONCLUSION

I concur with the NEPA conclusion above.

Cassie Nichols
Signature: Environmental Branch Chief — Date: 06/17/2025

Russell Hansen
Signature: Project Manager/DLAE — Date: 06/18/2025

NEPA/CEQA RE-VALIDATION FORM

CEQA CONCLUSION (Only mandated for projects on the State Highway System.)

Based on an examination of the changed conditions and supporting information, the following conclusion has been reached regarding appropriate CEQA documentation: (*Check ONE of the five statements below, indicating whether any additional documentation is or will be prepared, and if so, what kind. If additional documentation is prepared, attach a copy of this signed form and any continuation sheets.*)

☐ **Original document remains valid. No further documentation is necessary but may be included on continuation sheets.**

☐ **An Addendum was prepared for minor technical changes or additions to the project and is:**

- ☐ **included on the continuation sheets or**
- ☐ **attached.**

It need not be circulated for public review (CEQA Guidelines, §15164). The addendum must include a brief explanation of why the decision was made to not prepare a subsequent or supplemental environmental document as well as a summary statement explaining the changes to the project.

☐ **Changes are substantial, but only minor additions or changes are necessary to make the previous document adequate. A Supplemental environmental document will be prepared, and it will be circulated for public review (CEQA Guidelines, §15163).**

☐ **Changes are substantial, and major revisions to the current document are necessary. A Subsequent environmental document will be prepared, and it will be circulated for public review (CEQA Guidelines, §15162).**
(Specify type of subsequent document, e.g., Subsequent FEIR):

☐ **The CE is no longer valid. New CE is needed. ☐ Yes ☐ No**

CONCURRENCE WITH CEQA CONCLUSION

I concur with the CEQA conclusion above.

NON-APPLICABLE

_____ _____
Signature: Environmental Branch Chief Date

_____ _____
Signature: Project Manager/DLAE Date

CONTINUATION SHEET(S)

Changes in project design, e.g., scope change; a new alternative; change in project alignment.

Lake County proposes to modify the Original Project to accommodate nighttime construction. Nighttime construction would be conducted within the following parameters:

- Construction activities would be limited only to those activities, such as utility trench/vault or box culvert installation, that would otherwise prohibit through traffic and access for residences or businesses if conducted during the day. The only currently anticipated nighttime construction activity located near an existing residence would be a culvert replacement just west of 110 Soda Bay Road.
- A single lane of traffic, with flaggers to help control two-way traffic, would be maintained at all times unless a practical detour is available. Traffic control would be limited to 500 feet from any active construction area.
- No pile driving, rock drilling, or utility pole installation or removal activities would occur between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and 7:00 p.m. and 8:00 a.m. on weekends.
- No nighttime construction would occur within the specified construction avoidance areas located in the immediate vicinity of noise-sensitive receptors, such as residences, as shown in Figure 1 of the attached supplemental noise memorandum.
- For any nighttime construction activities located within 200 feet of a construction avoidance area shown in Figure 1 of the attached supplemental noise memorandum, construction equipment and noise sources would be shielded with a temporary noise barrier consisting of heavy vinyl noise curtain material (e.g., Sound Seal BBC 13-2 or equivalent).
- Nighttime construction would be limited to no more than four consecutive nights, which is the maximum work duration anticipated for expected discrete overnight construction activities.
- The Lake County Public Works Department would establish a procedure for coordination with the adjacent noise sensitive uses so that construction activities can be scheduled to minimize noise disturbance. A phone number for complaints would be posted at the construction site and all complaints would be investigated (including noise monitoring of construction activities, as necessary), and addressed.

In addition, the project may be implemented in two phases based on available funding.

During the 65 percent design process, the Area of Potential Effects (APE) was expanded slightly in a couple of locations to account for utility undergrounding and construction access. One of the utility undergrounding areas resulted in a change to the Environmentally Sensitive Area (ESA) Action Plan exhibits, which were modified accordingly.

All other primary aspects of the Modified Project would be the same as the Original Project. See the attached revised project description (May 2025) for minor project changes that do not result in any changes to the project's impacts, minimization, avoidance and/or mitigation measures.

See attached revised project description (May 2025), supplemental noise memorandum (May 2016), supplemental biological resources memorandum (January 2016), re-evaluation email

for ESA Section 7 listed species (May 2025), supplemental cultural resources memorandum (July 2016), updated and signed APE map (August 2016), revised ESA Action Plan (August 2016), and the State Historic Preservation Officer (SHPO) concurrence letter (October 2016).

Changes in environmental setting, e.g., new development affecting traffic or air quality.

No change.

Changes in environmental circumstances, e.g., a new law or regulation; change in the status of a listed species.

See attached supplemental biological resources memorandum (January 2016) and re-evaluation email for ESA Section 7 listed species (May 2025) for a description of changes in species status.

Changes to environmental impacts of the project, e.g., a new type of impact, or a change in the magnitude of an existing impact.

No change. See attached supplemental noise memorandum (May 2016) for additional avoidance and minimization measures.

Changes to avoidance, minimization, and/or mitigation measures since the environmental document was approved.

Based on input from the California Department of Fish and Wildlife, as reflected in the supplemental biological resources memorandum (January 2016), the following revised avoidance and minimization measures will be incorporated into the project environmental commitments record (ECR):

- In-water work would not begin until June 30.
- Construction of the new culverts and the extension of the existing culverts would be constructed with the minimum gradient necessary and so the bottom sill of the culvert is at or below the existing channel grade.
- Temporary impact areas in the drainages would be restored to preconstruction contours.

As reflected in the re-evaluation email for ESA Section 7 (May 2025), the following avoidance and minimization measures for northwestern pond turtle (NWPT) will be incorporated into the project ECR:

- A qualified biologist will clear all stream channels, including riparian vegetation adjacent, and serpentine grasslands for presence of NWPT including nests prior to work occurring in these areas. Heavy equipment parked overnight should be surveyed and cleared for any NWPT that may take shelter under equipment if migrating through the project area.
- If a NWPT nest is observed, the qualified biologist will mark a 25.0-ft (7.6-m) buffer around the nest and its adjacent (~within 164.0-ft (50.0-m)) suitable nesting habitat for avoidance and consult with the Caltrans on guidance. Caltrans will then reach out to USFWS as needed.
- Exclusion fencing will be installed along Soda Bay Road where serpentine grasslands are directly adjacent and have connectivity to Clear Lake. Exclusion fencing should be installed with the bottom 6 inches made of smooth material -silt fencing to prevent

climbing. The exclusion fencing must be opaque, non-climbable material (e.g., silt fencing or smooth plastic and not mesh), at least 2.0 ft (0.6 m) high, have one-way exit funnels away from the work area, and be contoured such that NWPT are unable to climb over the fence and into the work area. The top will be folded over (outside the work area) to create a lip that prevents NWPT from climbing over the top. A patch of smooth sand could be placed at the exit funnel(s) to record the tracks of exiting NWPT; these would be checked and re-smoothed daily when checking the fence and coverboards. Exclusion fencing should be checked daily. Fencing will be completely removed at the end of construction.

- If NWPT are observed within the project area or in harm's way at any time during construction, the designated monitor will contact the qualified biologist and Caltrans immediately and will have the authority to stop project activities until appropriate corrective measures have been completed or it is determined that the NWPT will not be harmed. NWPT encountered during project activities will be allowed to move away on their own volition.

As reflected in the re-evaluation email for ESA Section 7 (May 2025), the following avoidance and minimization measures for nesting birds will be incorporated into the project ECR:

- Any tree removal over 4" DBH that occurs within the migratory bird nesting season (March 1-September 15) will require a qualified biologist nest clearance survey within one week of removal in accordance with the Migratory Bird treaty Act. If nests are found, contact the Caltrans, the tree will not be removed until the nest is empty, and fledging's have left the nest. *Exclusion netting of any kind to prevent swallows from nesting on the underside of culverts is no longer approved and will be removed from the project ECR prior to construction*.

Additional avoidance and minimization measures will be incorporated into the ECR to address nighttime construction, as listed above.

See attached supplemental biological resource memorandum (January 2016), re-evaluation email for ESA Section 7 (May 2025), and supplemental noise memorandum (May 2016).

Changes to environmental commitments since the environmental document was approved, e.g., the addition of new conditions in permits or approvals. When this applies, append a revised Environmental Commitments Record (ECR) as one of the Continuation Sheets.

Regulatory permit applications are in process.

South Main_Soda Bay_Reval Form_May2025

Final Audit Report 2025-06-18

Created:	2025-06-18
By:	Susan Slack (s158231@dot.ca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAzPfpOb42ivU1t-I17vu07qeWil5GaRCv

"South Main_Soda Bay_Reval Form_May2025" History

Document created by Susan Slack (s158231@dot.ca.gov)
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Document e-signed by Russell Hansen (russell.hansen@dot.ca.gov)
Signature Date: 2025-06-18 - 4:07:59 PM GMT - Time Source: server- IP address: 149.136.17.247

Agreement completed.
2025-06-18 - 4:07:59 PM GMT

ATTACHMENT - SUPPLEMENTAL NOISE MEMO

LSA ASSOCIATES, INC.
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BERKELEY
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ROCKLIN
SAN LUIS OBISPO

M E M O R A N D U M

DATE: May 11, 2016

TO: Michael A. Sanchez, Quincy Engineering, Inc.

FROM: Amy Fischer, Principal, LSA Associates, Inc.
Kristin Nurmela, Senior Environmental Planner, LSA Associates, Inc.

SUBJECT: South Main Street and Soda Bay Road Corridor Improvement Project – Nighttime Construction Noise Memorandum

This memorandum has been prepared by LSA Associates, Inc. (LSA) for the South Main Street and Soda Bay Road Corridor Improvement Project in Lake County, California to further describe noise impacts for construction activities currently proposed to occur during nighttime hours. Lake County proposes to widen an approximately 1.25-mile-long segment of the South Main Street and Soda Bay Road corridor to provide additional capacity to accommodate increases in regional and local traffic, establish a centerline alignment for the ultimate roadway, and repair or replace existing deteriorated or inadequate pavement sections. Existing aboveground utility lines would be relocated underground. The project location is shown in Figure 1.

When the project was initially evaluated as part of the environmental review process, construction was only proposed to occur during the daytime hours between 7:00 a.m. and 7:00 p.m. on weekdays, and between 8:00 a.m. to 7:00 p.m. on weekends. Since that time, the County has determined that additional construction may be required during evening and/or nighttime hours to maintain vehicle access throughout the project corridor and to businesses along the alignment. This memo reflects a supplemental technical analysis to assess potential noise impacts resulting from nighttime construction.

Nighttime construction would be conducted within the following parameters:

- Construction activities would be limited only to those activities, such as utility trench/vault or box culvert installation, that would otherwise prohibit through traffic and access for residences or businesses if conducted during the day. The only currently anticipated nighttime construction activity located near an existing residence would be a culvert replacement just west of 110 Soda Bay Road.
- A single lane of traffic, with flaggers to help control two-way traffic, would be maintained at all times unless a practical detour is available. Traffic control would be limited to 500 feet from any active construction area.
- No pile driving, rock drilling, or utility pole installation or removal activities would occur between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and 7:00 p.m. and 8:00 a.m. on weekends.
- No nighttime construction would occur within the specified construction avoidance areas located in the immediate vicinity of noise-sensitive receptors, such as residences, as shown in Figure 1.

- For any nighttime construction activities located within 200 feet of a construction avoidance area shown in Figure 1, construction equipment and noise sources would be shielded with a temporary noise barrier consisting of heavy vinyl noise curtain material (e.g., Sound Seal BBC 13-2 or equivalent).
- Nighttime construction would be limited to no more than four consecutive nights, which is the maximum work duration anticipated for expected discrete overnight construction activities.
- The Lake County Public Works Department would establish a procedure for coordination with the adjacent noise sensitive uses so that construction activities can be scheduled to minimize noise disturbance. A phone number for complaints would be posted at the construction site and all complaints would be investigated (including noise monitoring of construction activities, as necessary), and addressed.

The Noise Study Report (NSR), prepared for the project in 2008, identified two potential noise impacts that would occur during project construction: 1) noise generated by construction crew commutes and transportation of construction equipment and materials, and 2) noise generated by construction equipment on the project site. The noise section of the South Main Street and Soda Bay Road Widening and Bike Lanes Project Initial Study/Environmental Assessment (IS/EA), prepared in 2011, provided avoidance and minimization measures for the Project to meet City of Lakeport and County noise standards, as well as to address the potential noise impacts identified in the NSR.

ENVIRONMENTAL SETTING

The predominant land use along the South Main Street/Soda Bay Road business corridor is commercial, including automotive repair shops, gas stations and other commercial businesses. Other land uses along the corridor include industrial and agriculture. Agriculture lands are present at the southern end of the project area, with several parcels of active farmland bordering the project site along the east-west alignment of Soda Bay Road.

Noise sensitive land uses, including single-family residential land uses, are located adjacent to the project that would potentially be exposed to construction and traffic noise impacts. The following residential properties are located within 100 feet of the project roadway segments. The locations of each of these noise sensitive land uses are shown in Figure 1.

- 2510 South Main Street
- 32 Soda Bay Road
- 53 Soda Bay Road
- 110 Soda Bay Road
- 290 Soda Bay Road
- 330 Soda Bay Road

The Lakeport Cinema 5 drive-in, which operates during the evening hours over a portion of the year, may also be affected by nighttime construction along the project alignment.

REGULATORY FRAMEWORK

The Lake County General Plan Noise Element Policy N-1.7 requires contractors to implement noise-reducing measures during construction when residential uses or other noise sensitive receptors are located within 500 feet of the construction site.[1]

The City of Lakeport's 2009 General Plan includes objectives, policies, and programs that address noise control.[2] The City's General Plan addresses noise thresholds for new development in addition to traffic noise on existing sensitive receptors. Program N 2.1-b states that noise impacts of all street, highway, and other transportation projects should be considered and carefully evaluated. Construction noise is not addressed in the City's General Plan or its Municipal Code.

Additionally, Caltrans Standard Specifications, Section 14-8 Noise and Vibration include specifications related to controlling noise and vibration. The specifications state the construction equipment must not exceed 86 dBA L_{max} at 50 feet from the job site activities between the hours of 9:00 p.m. to 6:00 a.m. It also states that internal combustion equipment should be equipped with the manufacturer-recommended muffler.

NOISE IMPACTS AND RECOMMENDED AVOIDANCE AND MINIMIZATION MEASURES

Table 9 of the NSR identifies the maximum noise levels associated with project-related construction equipment ranging from 70 dBA L_{max} to 88 dBA L_{max} at a distance of 50 feet. The NSR states that the worst-case combined construction noise level would be 91 dBA L_{max} at 50 feet from the active construction area.

The IS/EA indicates that the closest noise sensitive receptors are the residential properties located at 2510 South Main Street and 290 and 330 Soda Bay Road, with building façades approximately 20-25 feet away from the proposed daytime construction areas. As stated in the NSR, maximum construction noise levels could reach up to 97 dBA L_{max} at these distances.

The IS/EA identified the following avoidance and minimization measures:

- All internal combustion engines would be equipped with the manufacturer-recommended muffler. Internal combustion engines would not be operated on the construction site without the appropriate muffler.
- The project contractor would place all stationary construction equipment so that emitted noise is directed away from noise sensitive receptors nearest the active project site.
- To the extent feasible, the construction contractor would locate equipment staging in areas that would create the greatest possible distance between the construction-related noise sources and noise sensitive receptors nearest the active project site during all project construction.

1 Lake County, 2008. Lake County General Plan, Chapter 8 Noise Element. September.
2 Lakeport, City of, 2009. City of Lakeport General Plan 2025. August.

Additionally, implementation of Lake County General Plan Noise Element Policy N-1.7 would require noise-reducing measures during construction when residential uses or other noise sensitive receptors are located within 500 feet of the construction site.

As described on page 2 of this technical memorandum, nighttime construction is only proposed to occur outside of the "Nighttime Construction Avoidance Areas" shown in Figure 1. Based on these avoidance areas, the minimum distance from any sensitive noise receptor to a nighttime construction area would be 100 feet, as shown in Table A.

Table A: Minimum Nighttime Construction Distances from Existing Sensitive Noise Receptors

Sensitive Noise Receptor	Minimum Distance to Nighttime Construction[1]
2510 South Main Street	125 feet
32 Soda Bay Road	115 feet
53 Soda Bay Road	135 feet
110 Soda Bay Road	155 feet
290 Soda Bay Road	100 feet
330 Soda Bay Road	340 feet

[1] Based on the Nighttime Construction Avoidance Areas shown in Figure 1

As stated in the NSR, the worst-case combined construction noise level would be 91 dBA L_{max} at 50 feet from the active construction area. Based on Federal Highway Administration (FHWA) documentation of best practices for calculating the estimated reduction from noise reduction measures[3], a 5 dBA reduction can be achieved for a properly installed manufacturer recommended muffler. With the implementation of this minimization measure from the IS/EA, nighttime construction noise levels would be reduced to 86 dBA L_{max} at 50 feet from the construction area, which is consistent with the Caltrans specification referenced above. In addition, for any nighttime construction conducted within 200 feet of a construction avoidance area, as shown in Figure 1, a portable temporary noise barrier consisting of heavy vinyl noise curtain material (e.g., Sound Seal BBC 13-2 or equivalent) would be used to shield nighttime construction equipment from the nearest sensitive noise receptor. Based on FHWA documentation, a 5 dBA noise reduction can be achieved with this type of barrier.[4] With the implementation of these two noise reduction measures, nighttime construction noise levels would be reduced to 81 dBA L_{max} at 50 feet from the construction area, which is below the 86 dBA L_{max} at 50 feet Caltrans specification.

With the use of properly installed mufflers and temporary noise barriers within 200 feet of a nighttime construction avoidance area, the estimated maximum nighttime construction noise level at an existing residence would be 75 dBA L_{max}, which is based on the closest possible distance that a residence may be located relative to an adjacent construction area (i.e., 100 feet, as shown in Table A).

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3 Federal Highway Administration, 2006. *Roadway Construction Noise Model, User's Guide.* Available online at www.fhwa.dot.gov/environment/noise/construction_noise/rcnm/rcnm.pdf. January.

4 Ibid.

Therefore, with the implementation of the noise avoidance and minimization measures included in the IS/EA, and with the assumption that any nighttime construction would be conducted as described on pages 1 and 2 of this technical memorandum, construction noise levels at activity sites would be reduced to 86 dBA L_{max} or below at 50 feet from the construction area in accordance with Caltrans Standard Specifications, Section 14-8 Noise and Vibration.

CONCLUSION

The avoidance and minimization measures that would be implemented during construction of the proposed project to meet City and County noise standards, as identified in the IS/EA, would apply to all nighttime construction activities. These measures would reduce maximum nighttime construction noise levels by a minimum of 5 dBA, resulting in maximum noise levels of 86 dBA or below at a distance of 50 feet. The additional nighttime noise restrictions reflected in this technical memorandum would reduce construction noise levels by an additional 5 dBA, resulting in maximum noise levels of 81 dBA or below at 50 feet from the work area in the immediate vicinity of residences. Nighttime construction activities would also occur outside of avoidance areas located around each residence adjacent to the project area, consistent with the intent of Lake County General Plan Policy N-1.7. Therefore, with implementation of the identified measures previously identified in the IS/EA, along with adherence to Caltrans Standard Specifications Section 14-8 and County General Plan Policy N-1.7, nighttime construction activity conducted as described in this technical memorandum would not result in additional noise impacts.

Attachment:

Figure 1 – Noise Sensitive Receptors and Nighttime Construction Avoidance Areas

LSA

LEGEND

- Project Area
- Nighttime Construction Avoidance Areas
- Sensitive Receptors

0 250 500
FEET

SOURCE: Aerial Imagery from Bing.

I:\QCE1501\GIS\Maps\Supplemental Noise Study\Figure 1_Noise Sensitive Receptors.mxd (4/1/2016)

FIGURE 1

South Main Street and Soda Bay Road
Corridor Improvement Project
Lakeport, Lake County, California

Noise-sensitive Receptors and
Nighttime Construction Avoidance Areas

ATTACHMENT - REVISED PROJECT DESCRIPTION

1.3 Project Description

The proposed project is located in Lake County on South Main Street and Soda Bay Road and would add a center turning lane, construct Class II bicycle lanes, underground overhead utility lines, and improve utility infrastructure. The project limits extend along South Main Street, from the Lakeport city limits to the State Route (SR) 175 extension, and along Soda Bay Road from SR 175 to approximately 0.1 mile west of Manning Creek.

The purpose of the proposed project is to improve traffic flow and pedestrian and bicyclist safety along South Main Street and Soda Bay Road.

1.4 Alternatives

The alternatives considered in this document are the Build Alternative and the No Build Alternative. The Build Alternative would widen the roadway's two existing through-traffic lanes to accommodate a continuous center turning lane and Class II bicycle facility along the paved shoulders. The Build Alternative would also rehabilitate roadway paving, improve roadway drainage, and underground utilities along the corridor. Under the No Build Alternative, which offers a basis for comparison with the Build Alternative, the project alignment would remain as a two-lane roadway without bicycle lanes and utilities would remain above ground.

1.4.1 Proposed Build Alternative

The South Main Street and Soda Bay Road Widening and Bike Lanes Project consists of a 0.5-mile segment of South Main Street, from the Lakeport city limits to the SR 175 extension, and a 0.75-mile segment of Soda Bay Road extending south from SR 175 to approximately 0.1 mile west of Manning Creek. The project would rehabilitate deficient pavement along the roadway corridor and improve roadway surface drainage. The roadway's two existing through-traffic lanes would be widened to 12 feet to accommodate a new continuous 12-foot-wide center turning lane, and 8-foot-wide paved shoulders would be constructed to also serve as a Class II bicycle facility. A slight horizontal curve correction would be constructed at the existing curve of Soda Bay Road, approximately 0.45 mile south of the SR 175 intersection. The curve radius would be increased from 230 feet to 550 feet to improve safety. The project may be implemented in two phases, based on available funding.

1.4.1.1 Earthwork

Earthwork for the road widening would consist mostly of fill work, with a small amount of grading to contour driveway intersections and portions of the interior curve of Soda Bay Road. The existing average width of the paved roadway is approximately 24 feet. The proposed near-term 3-lane roadway expansion project will provide a pavement width of approximately 52 feet. A future 5-lane expansion (not planned for construction with the current project) would require additional widening to provide up to 80 feet of total paved width. The proposed roadway design is consistent with the improvement standards outlined in the City/County MOU discussed in Section 1.1.1. Grading would be approximately 2 feet

deep. Other road work would consist of painting lines and installing signage and lighting.

1.4.1.2 Utilities

Above-ground utility lines would be relocated underground and utility poles along both sides of the roadway would be removed. A new utility trench for telephone, television, and electric power providers would be constructed parallel to the west side of South Main Street and Soda Bay Road along with drainage culvert undercrossings and Pacific Gas and Electric Company (PG&E) utility vaults. Existing overhead electric lines would be converted to underground service. Lateral service line trenches would extend out from the roadway, and utility poles would be placed at some locations near the ends of the lateral trenches.

~~One round concrete pipe culvert and one t~~ Three concrete box culverts would be extended and/or expanded, and one round concrete pipe and one concrete box culvert would be removed and rebuilt at a new location in the project ROW. In some locations, ditches would be constructed or reconstructed as water quality treatment swales. In other locations, the current roadside drainage ditches would be backfilled and paved over, which would require installation of new drainage inlets, construction of an auxiliary drainage pipe system, and excavation of new roadside ditches where space permits. ~~A new storm drain would be constructed under the center of the road.~~ Storm water would enter new drainage inlets along the new road, pass through the storm drain under the road, and flow into the box culverts. Impervious surface flows would be treated in bioswales in accordance with the post construction requirements of the State Water Resources Control Board Construction General Permit.

In cooperation with the City of Lakeport, the project would include the extension of the existing South Main Street water main. Assuming that appropriate funding is secured, it is anticipated that the planned water main extension would be included as part of the road improvements project. The 12-inch-diameter water main would be constructed in a trench under the center of the road and pass beneath the box culverts. The proposed project includes the installation of this infrastructure to accommodate future water service. The installation of the water main as part of the proposed roadway and utility undergrounding project would ensure that the road would not need to be disrupted another time to install additional infrastructure. No water service connections would be established as part of the proposed project; however, fire hydrants may be installed in conjunction with the water main extension.

~~As part of the project, the sewer pump station at the north end of the project area would be relocated immediately to the east within the proposed roadway ROW.~~

1.4.1.3 ROW Acquisitions

ROW acquisitions are required to accommodate the roadway widening, cut/fill embankments, drainage facilities, and utility improvements. The existing County and City ROW corridor is approximately 60-feet-wide and varies slightly in width from parcel to parcel along the route because of existing prescriptive ROW easements. The proposed project would require ~~approximately~~ up to 80 feet of ROW to accommodate the near-term 3- lane

expansion and a possible future 5-lane expansion. ~~As described above in Section 1.4.1.2, lateral service line trenches would extend out from the roadway in some locations.~~ Public utility easements would be acquired for lateral utility service lines serving more than one property owner. Not all parcels would be affected. No on-street parking would be provided after project completion. Some of the affected parcels would lose off-street parking, although there were no parcels identified that would lose both on- and off-street parking, as designated on- street parking is not currently available in every location along the project alignment. ~~Table 2.1.1-1 (Business Parking Impacts) documents the on- and off-street parking issues for these parcels affected by the project improvements.~~ Up to 40 parking spaces (on- and off-street) will be eliminated.

1.4.1.4 Construction

Temporary construction easements would be needed to complete roadway construction, to match the new driveway entrances into the existing driveways, and to connect some of the utility and drainage improvements to existing facilities. Staging areas may be located in the paved Lakeport Auto Movies Theatre parking lot at 52 Soda Bay Road and/or in a paved and fenced lot immediately south of the Jack-In-The-Box restaurant at SR 175, assuming that permission is received from the property owners. The proposed road widening project would require temporary lane closures during construction that could cause slight delays and additional queuing of vehicle traffic, emergency services, public transit and bicyclists, as well as temporary parking reductions. Temporary lane closures would be necessary in order to underground the utilities along the project alignment. The existing utility poles prevent the widening of the road. Flaggers would manage traffic during temporary lane closures via a two-way traffic control.

Access to businesses and residences along the project alignment would be maintained at all times during construction. Construction activities could result in the temporary closure of an entire driveway if businesses have more than one driveway, as long as it does not prevent access to one or more businesses or residents. Where a business/resident has a single driveway, construction would be staged so as to allow access at all times.

Project construction would typically occur during daytime hours between 7:00 a.m. and 7:00 p.m. on weekdays, and between 8:00 a.m. to 7:00 p.m. on weekends. Additional construction may occur during evening hours to maintain vehicle access throughout the project corridor and to businesses along the alignment, consistent with the following avoidance and minimization measures:

- Construction activities would be limited only to those activities, such as utility trench/vault or box culvert installation, that would otherwise prohibit through traffic and access for residences or businesses if conducted during the day. The only currently anticipated nighttime construction activity located near an existing residence would be a culvert replacement just west of 110 Soda Bay Road.

- A single lane of traffic, with flaggers to help control two-way traffic, would be maintained at all times unless a practical detour is available. Traffic control would be limited to 500 feet from any active construction area.

- No pile driving, rock drilling, or utility pole installation or removal activities would occur between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and 7:00 p.m. and 8:00 a.m. on weekends.

- No nighttime construction would occur within the specified construction avoidance areas located in the immediate vicinity of noise-sensitive receptors, such as residences, as specified in the Nighttime Construction Noise Memorandum (LSA 2016).

- For any nighttime construction activities located within 200 feet of a construction avoidance area, as specified in the Nighttime Construction Noise Memorandum (LSA 2016), construction equipment and noise sources would be shielded with a temporary noise barrier consisting of heavy vinyl noise curtain material (e.g., Sound Seal BBC 13-2 or equivalent).

- Nighttime construction would be limited to no more than four consecutive nights, which is the maximum work duration anticipated for expected discrete overnight construction activities.

- The Lake County Public Works Department would establish a procedure for coordination with the adjacent noise sensitive uses so that construction activities can be scheduled to minimize noise disturbance. A phone number for complaints would be posted at the construction site and all complaints would be investigated (including noise monitoring of construction activities, as necessary), and addressed.

1.4.1.5 Project Schedule

The ~~environmental review process, including all technical studies, field surveys and preliminary design, is scheduled to be complete by spring 2013, and~~ final design is scheduled for completion in ~~2014~~ October 2025. ~~Once environmental review is complete,~~ The County will apply for resource agency permits in summer 2025. A minimum of three months will be required for the 1602 Streambed Alteration Agreement and Section 401 Water Quality Certification ~~(post CEQA)~~, and a minimum of four months will be required to obtain authorization to utilize the 404 Nationwide Permit process ~~following NEPA approval~~. Right-of-way acquisition ~~would occur in 2014/15~~ will be completed prior to project initiation. The utility undergrounding ~~of utilities would~~ will occur ~~in 2015/16, and~~ with the road construction beginning in late spring 2026 at the earliest, with a proposed completion of winter 2027/2028. ~~would be completed in 2017.~~ The project may be implemented in two phases, based on available funding, which may result in construction completion being delayed to 2029 or later.

ATTACHMENT - SUPPLEMENTAL BIOLOGICAL MEMORANDUM

LSA ASSOCIATES, INC.
157 PARK PLACE
PT. RICHMOND, CALIFORNIA 94801
510.236.6810 TEL
510.236.3480 FAX
BERKELEY
CARLSBAD
FRESNO
IRVINE
PALM SPRINGS
RIVERSIDE
ROCKLIN
SAN LUIS OBISPO

M E M O R A N D U M

DATE: January 15, 2016

TO: Lars Ewing, Lake County Public Works Department

FROM: Kristin Nurmela, LSA Associates, Inc.

SUBJECT: Supplemental Biological Resources Review for the South Main Street and Soda Bay Road Corridor Improvement Project, Lake County, California

This memorandum presents the findings of a supplemental environmental review pertaining to biological resources located within the South Main Street and Soda Bay Road Widening and Bike Lanes Project (Project) site. A Natural Environment Study (NES) was prepared for the Project in 2010, and the Initial Study/Environmental Assessment (IS/EA) was completed in 2011. As part of the current National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) re-validation process, LSA reviewed the NES and IS/EA to ensure that the conclusions are still valid and that no project changes have occurred requiring additional environmental evaluation and documentation. Examples of project changes include: changes in project design; changes to the environmental setting/circumstances, including changes in laws and regulations; changes in the nature and severity of environmental impacts; and changes to environmental commitments – avoidance, minimization, and/or mitigation. Each of these topics is addressed below.

Project Design

Lake County proposes to widen an approximately 1.25-mile-long segment of the South Main Street and Soda Bay Road corridor to provide additional capacity to accommodate increases in regional and local traffic, establish a centerline alignment for the ultimate roadway, and repair or replace existing deteriorated or inadequate pavement sections. Existing aboveground utility lines would be relocated underground. The County is considering modifying the previously-evaluated Project to accommodate nighttime construction. No other significant Project design changes have occurred since the preparation of the IS/EA or are anticipated as part of the current final design process that would affect the previous evaluation of Project effects on biological resources. Refined impact values for waters of the U.S. and State are expected as part of the upcoming regulatory permit process, and those impacts will be addressed in accordance with the IS/EA and additional conditions imposed by the agencies.

Environmental Setting/Circumstances

Physical Setting. The limits of the project area (or Biological Study Area [BSA]) have not changed since the preparation of the NES and IS/EA. The project area primarily consists of paved roads and other developed lands. The predominant land uses along the project alignment are commercial and light industrial, including automobile sales, auto part shops, gas stations, agricultural services and supplies, construction supplies, and warehouses. A handful of residences along with small areas of grassland and agricultural habitat occur intermittently in the project area. Several drainage features also bisect the project alignment. While the status of a couple of businesses has changed since the

preparation of the NES and IS/EA, the physical setting applicable to the evaluation of effects on biological resources within the project area has not changed significantly.

Regulatory Setting. Current species lists from the U.S. Fish and Wildlife Service (USFWS), California Natural Diversity Database (CNDDB), and California Native Plant Society (CNPS) were compiled to assess whether the potential for special-status species not previously evaluated in the NES exists within the project area (see Attachment A). There are no species with the potential to occur in the project area that would be under the jurisdiction of the National Marine Fisheries Service (NMFS), so a species list from NMFS was not obtained.

The regulatory status for all previously evaluated species was also reviewed to identify any changes to listing status. Five new special-status animal and plant species are included in the current species lists when compared to the previous lists in the NES, and the State listing status for two previously evaluated species has changed since the preparation of the NES and IS/EA as shown in Table A.

Table A: Special Status Species Potentially Occurring in the South Main Street and Soda Bay Road Widening Project Biological Study Area and Vicinity – 2016 Update[1]

Species Name	Status	General Habitat Description	Habitat Present/Absent	Rationale
Mammals				
Corynorhinus townsendii **Townsend's big-eared bat**	SC(T), SSC	Riparian woodlands, wetlands, forest edges, and open woodlands; roosts in caves, mines, old buildings, and large hollow trees (e.g., coastal redwoods).	A	No suitable habitat is present in the project area.
Pekania pennant **Fisher, West Coast DPS**	FC(T), SC(T), SSC	Intermediate to large tree stages of coniferous forests and deciduous riparian areas with high percent canopy closure. Uses cavities, snags, logs and rocky areas for cover and denning. Needs large areas of mature, dense forest.	A	No suitable habitat is present in the project area.
Birds				
Agelaius tricolor Tricolored blackbird	**SC(E)**, SSC	Nests in freshwater marshes with tules or cattails, or in other dense vegetation such as thistle, blackberry thickets, etc. in close proximity to open water. Forages in a variety of habitats including pastures, agricultural fields, rice fields, and feedlots. Highly colonial; breeding aggregations tend to be large.	HP	No suitable nesting habitat within the project area. However, the nonnative grassland and agricultural lands provide suitable foraging habitat for this species.
Fish				
Hypomesus transpacificus **Delta smelt**	FT, SE	Sacramento-San Joaquin Delta. Seasonally in Suisun Bay, Carquinez Strait and San Pablo Bay. Seldom found at salinities > 10 ppt. Most often at salinities < 2 ppt.	A	The project area is outside of the known range for this species.
Lavinia exilicauda chi Clear Lake hitch	**ST**, SSC	Confined to Clear Lake and to associated lakes and ponds such as Thurston Lake and Lampson Pond. It spawns in intermittent tributary streams to Clear Lake, mainly Kelsey, Seigler Canyon, Adobe, Middle, Scotts, Cole	HP	Several of the drainages flowing through the project area provide marginal spawning habitat for this species.

Species Name	Status	General Habitat Description	Habitat Present/Absent	Rationale
		and Manning creeks, and occasionally in other, unnamed tributaries.		
Plants				
Grimmia torenii **Toren's grimmia**	CRPR 1B	Cismontane woodland, lower montane coniferous forest, and chaparral. Openings, rocky, boulder and rock walls, carbonate, volcanic (325 – 1,160 m).	A	No suitable habitat is present in the project area.
Streptanthus glandulosus* ssp. *hoffmanii **Hoffman's bristly jewel-flower**	CRPR 1B	Chaparral, cismontane woodland, valley and foothill grassland (often serpentinite); rocky (120 – 475 m). Blooms March – July.	HP, A	Potential habitat for this species is present in the serpentine grassland community within the project area. Focused surveys for special status species were conducted in the project area on April 3 and 4 and June 4, 2007, during the normal blooming period for this species when it would have been most identifiable, if present. No *Streptanthus* sp. were observed during the surveys (Appendix C). This species is considered absent from the project area.

[1] **Bold-faced, underlined** text reflects changes from the special status species tables included in the NES

FC – Federal Candidate for listing

FT/FE – Federal Threatened/Endangered

ST/SE – State Threatened/Endangered

SC – State Candidate for listing

SSC – California Department of Fish and Wildlife Species of Special Concern

CRPR – California Rare Plant Rank

1A = Presumed Extirpated in California and either Rare or Extinct Elsewhere

1B = Rare, Threatened, or Endangered in California and elsewhere

2B = Rare, Threatened or Endangered in California, but more common elsewhere

Substantial impacts to plants ranked 1A, 1B, and 2 are typically considered significant based on Section 15380 of the CEQA Guidelines depending on the policy of the lead agency.

As shown in Table A, of the seven new species identified as potentially occurring within the project area, suitable habitat is only present for Hoffman's bristly jewel-flower (*Streptanthus glandulosus* ssp. *hoffmanii*). The State listing status for tricolored blackbird (*Agelaius tricolor*) and Clear Lake hitch (*Lavinia exilicauda chi*), which were both evaluated under the NES and IS/EA, have also recently changed. Each of these species is briefly described below.

Hoffman's Bristly Jewel-Flower

Hoffman's bristly jewel-flower has a California Rare Plant Ranking (CRPR) of 1B. This species has no State or federal status but impacts to this species could be considered significant under CEQA. This annual plant species is typically found on serpentine soils throughout a variety of habitats including chaparral, cismontane woodland, and grassland. Potential habitat exists for Hoffman's bristly jewel-flower in the serpentine grassland located

in the western portion of the project area, just south of the intersection of South Main Street with State Route (SR) 175 (see Attachment B, Figure 6 from the NES). Three other special status plants with similar habitat requirements, Colusa layia (*Layia septentrionalis*), bent-flowered fiddleneck (*Amsinckia lunaris*), and dwarf soaproot (*Chlorogalum pomeridianum* var. *minus*), were identified in this serpentine grassland habitat as part of the rare plant surveys conducted for the NES.

The nearest CNDDB occurrence for Hoffman's bristly jewel-flower relative to the project area is located approximately 11 miles to the west in Mendocino County, west of U.S. 101 (CNDDB 2015). As documented in Table A, focused rare plant surveys conducted within the normal blooming period for this species as part of the preparation of the NES did not result in the identification of any *Streptanthus* sp. Therefore, this species is considered absent from the project area.

Clear Lake Hitch

On August 6, 2014, the California Department of Fish and Wildlife (CDFW) listed the Clear Lake hitch as threatened under the California Endangered Species Act (CESA). This species spends most of the year in Clear Lake except during spring spawning which occurs in intermittent tributary streams including, but not limited to, Kelsey, Seigler Canyon, Adobe, Middle, Scotts, Cole and Manning creeks. The NES concluded that the tributaries to Manning Creek that flow through the BSA could provide spawning habitat for Clear Lake hitch. Clear Lake hitch has no federal status, but as of April 10, 2015, the USFWS is conducting a status review in order to make a determination whether to protect this species under the federal Endangered Species Act (ESA).

A supplemental technical memorandum prepared by Area West Environmental, Inc. (Area West) documenting the current status of Clear Lake hitch and recent correspondence with the CDFW is attached (see Attachment C).

Tricolored Blackbird

At its December 10, 2015 meeting, the California Fish and Game Commission (Commission) voted to advance the tricolored blackbird to candidacy under the CESA, triggering a 12-month period during which the CDFW will conduct a status review to inform the Commission's subsequent decision on whether to list the species as threatened or endangered. As a candidate species, the tricolored blackbird receives the same legal protection afforded to an endangered or threatened species (Fish & Game Code, § 2085). The tricolored blackbird has no federal status, but as of September 18, 2015, the USFWS is conducting a status review to make a determination whether to protect this species under the ESA.

The NES documented that no nesting habitat is present in the project area but the grassland and row crop communities in the project area could provide suitable foraging habitat for tricolored blackbirds.

Environmental Impacts

The NES and IS/EA concluded that disturbance of the existing grassland and agricultural vegetation communities associated with project activities (e.g., road widening, utility undergrounding) would result in an impact to potential foraging habitat for tricolored blackbird. No suitable nesting habitat for this species is located within the project area. The project could impact spawning Clear Lake hitch during culvert replacement and drainage modifications associated with the road widening. As summarized in Table A, Hoffman's bristly jewel-flower was not previously identified in the focused rare plant surveys conducted for the NES.

There are no new impacts or changes in the severity of the impacts described in the NES and IS/EA resulting from the changes in regulatory status for Clear Lake hitch and tricolored blackbird. Both species were previously evaluated in the NES and IS/EA, and there are no changes in the physical setting or the project description that would result in new impacts or changes in the severity of the previously identified impacts for these species.

Hoffman's bristly jewel-flower is a special status species with the potential to occur in the serpentine grassland vegetation community located within the project area. However, as discussed above, this species is considered absent from the project area and no impacts to this species as a result of the Project are anticipated.

Environmental Commitments

The emergency CESA listing of tricolored blackbird does not require a change in the avoidance and minimization measure adopted as part of the IS/EA:

- *Disturbance of the grassland and row crop communities resulting from construction activities shall be minimized to the extent feasible.*

Potential effects to this species would also be addressed as part of nesting bird surveys conducted in advance of any vegetation removal in accordance with the Migratory Bird Treaty Act and the avoidance and minimization measure included in the IS/EA.

As documented in the supplemental Clear Lake hitch memorandum (Attachment C), new distribution data and correspondence from the CDFW resulted in the recommendation of minor revisions to the adopted avoidance and minimization measures:

- *In-water work would not begin until ~~June 15~~ June 30.*
- *~~To the maximum extent feasible, c~~Construction of the new culverts and the extension of the existing culverts would be constructed with the minimum gradient necessary and so the bottom sill of the culvert is at or below the existing channel grade.*
- *Temporary impact areas in the drainages would be restored to preconstruction contours.*

These minor revisions result in more stringent measures than those presented in the IS/EA. The County and Caltrans should adopt these minor revisions to the avoidance and minimization measures for Clear Lake hitch as part of the re-validation process.

As described above, Hoffman's bristly jewel-flower is assumed to be absent from the project area based on previous rare plant surveys. However, impacts to the serpentine grassland community that provides suitable habitat for this species will be addressed by a previously-adopted avoidance and minimization measure that requires exclusionary fencing along the limits of work, topsoil salvage and replacement, and biological monitoring. No changes to the existing avoidance and minimization measure are required or proposed.

Conclusion

No new biological resource impacts or changes in the severity of the biological resource impacts described in the previous environmental documentation have been identified. As a result of recent consultation with CDFW (see Attachment C), we recommend that the avoidance and minimization measures for Clear Lake hitch be modified slightly as reflected above. The conclusions in the NES and IS/EA pertaining to biological resources are still valid and no additional environmental evaluation or documentation is required.

Attachments:

A: 2015 USFWS, CNDDB, and CNPS species lists
B: 2010 NES, Figure 6 – Plant Communities/Land Uses
C: Clear Lake hitch memorandum (Area West, 2015)

APPENDIX A

2015 USFWS, CNDDB, AND CNPS SPECIES LISTS

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
PHONE: (916)414-6600 FAX: (916)414-6713

Consultation Code: 08ESMF00-2016-SLI-0026 October 06, 2015
Event Code: 08ESMF00-2016-E-00045
Project Name: South Main Street and Soda Bay Road Widening and Bike Lanes Project

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.

The table below outlines lead FWS field offices by county and land ownership/project type. Please refer to this table when you are ready to coordinate (including requests for section 7 consultation) with the field office corresponding to your project, and send any documentation regarding your project to that corresponding office. Therefore, the lead FWS field office may not be the office listed above in the letterhead. Please visit our office's website (http://www.fws.gov/sacramento) to view a map of office jurisdictions.

Lead FWS offices by County and Ownership/Program

County	Ownership/Program	Species	Office Lead*
Alameda	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Alameda	All ownerships but tidal/estuarine	All	SFWO
Alpine	Humboldt Toiyabe National Forest	All	RFWO
Alpine	Lake Tahoe Basin Management Unit	All	RFWO
Alpine	Stanislaus National Forest	All	SFWO
Alpine	El Dorado National Forest	All	SFWO
Colusa	Mendocino National Forest	All	AFWO
Colusa	Other	All	By jurisdiction (see map)
Contra Costa	Legal Delta (Excluding ECCHCP)	All	BDFWO
Contra Costa	Antioch Dunes NWR	All	BDFWO
Contra Costa	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Contra Costa	All ownerships but tidal/estuarine	All	SFWO

El Dorado	El Dorado National Forest	All	SFWO
El Dorado	LakeTahoe Basin Management Unit		RFWO
Glenn	Mendocino National Forest	All	AFWO
Glenn	Other	All	By jurisdiction (see map)
Lake	Mendocino National Forest	All	AFWO
Lake	Other	All	By jurisdiction (see map)
Lassen	Modoc National Forest	All	KFWO
Lassen	Lassen National Forest	All	SFWO
Lassen	Toiyabe National Forest	All	RFWO
Lassen	BLM Surprise and Eagle Lake Resource Areas	All	RFWO
Lassen	BLM Alturas Resource Area	All	KFWO
Lassen	Lassen Volcanic National Park	All (includes Eagle Lake trout on all ownerships)	SFWO
Lassen	All other ownerships	All	By jurisdiction (see map)

Marin	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Marin	All ownerships but tidal/estuarine	All	SFWO
Mendocino	Russian River watershed	All	SFWO
Mendocino	All except Russian River watershed	All	AFWO
Napa	All ownerships but tidal/estuarine	All	SFWO
Napa	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Nevada	Humboldt Toiyabe National Forest	All	RFWO
Nevada	All other ownerships	All	By jurisdiction (See map)
Placer	Lake Tahoe Basin Management Unit	All	RFWO
Placer	All other ownerships	All	SFWO
Sacramento	Legal Delta	Delta Smelt	BDFWO
Sacramento	Other	All	By jurisdiction (see map)
San Francisco	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO

San Francisco	All ownerships but tidal/estuarine	All	SFWO
San Mateo	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
San Mateo	All ownerships but tidal/estuarine	All	SFWO
San Joaquin	Legal Delta excluding San Joaquin HCP	All	BDFWO
San Joaquin	Other	All	SFWO
Santa Clara	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
Santa Clara	All ownerships but tidal/estuarine	All	SFWO
Shasta	Shasta Trinity National Forest except Hat Creek Ranger District (administered by Lassen National Forest)	All	YFWO
Shasta	Hat Creek Ranger District	All	SFWO
Shasta	Bureau of Reclamation (Central Valley Project)	All	BDFWO
Shasta	Whiskeytown National Recreation Area	All	YFWO
Shasta	BLM Alturas Resource Area	All	KFWO

Shasta	Caltrans	By jurisdiction	SFWO/AFWO
Shasta	Ahjumawi Lava Springs State Park	Shasta crayfish	SFWO
Shasta	All other ownerships	All	By jurisdiction (see map)
Shasta	Natural Resource Damage Assessment, all lands	All	SFWO/BDFWO
Sierra	Humboldt Toiyabe National Forest	All	RFWO
Sierra	All other ownerships	All	SFWO
Solano	Suisun Marsh	All	BDFWO
Solano	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Solano	All ownerships but tidal/estuarine	All	SFWO
Solano	Other	All	By jurisdiction (see map)
Sonoma	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Sonoma	All ownerships but tidal/estuarine	All	SFWO
Tehama	Mendocino National Forest	All	AFWO
	Shasta Trinity National Forest		

Tehama	except Hat Creek Ranger District (administered by Lassen National Forest)	All	YFWO
Tehama	All other ownerships	All	By jurisdiction (see map)
Yolo	Yolo Bypass	All	BDFWO
Yolo	Other	All	By jurisdiction (see map)
All	FERC-ESA	All	By jurisdiction (see map)
All	FERC-ESA	Shasta crayfish	SFWO
All	FERC-Relicensing (non-ESA)	All	BDFWO
***Office Leads:**			
AFWO=Arcata Fish and Wildlife Office			
BDFWO=Bay Delta Fish and Wildlife Office			
KFWO=Klamath Falls Fish and Wildlife Office			
RFWO=Reno Fish and Wildlife Office			
YFWO=Yreka Fish and Wildlife Office			

Attachment

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: 08ESMF00-2016-SLI-0026
Event Code: 08ESMF00-2016-E-00045

Project Type: TRANSPORTATION

Project Name: South Main Street and Soda Bay Road Widening and Bike Lanes Project
Project Description: The project will consist of widening South Main Street (Major Collector CR 400A)
and Soda Bay Road (Major Collector CR 502), located in the County of Lake, just south of the City of Lakeport. The proposed improvement project includes widening the existing two lane South Main Street/Soda Bay Road segment into a three lane roadway with a 12-foot wide continuous center turn lane and two 12-foot wide travel lanes with 8-foot wide paved outside shoulders. The shoulders serve as Class II bicycle

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.

Project Location Map:

Project Coordinates: MULTIPOLYGON (((-122.91426658630371 39.02398483891689, -122.91306495666504 39.02181769414326, -122.91186332702637 39.01903364914325, -122.91152000427245 39.01795000917575, -122.9107904434204 39.017183115471255, -122.90913820266722 39.014965745579886, -122.90840864181517 39.01366530081694, -122.90746450424194 39.01264826965898, -122.9072070121765 39.01201470187205, -122.90538311004637 39.012198103657234, -122.90413856506346 39.01183129961131, -122.90147781372069 39.011681242862366, -122.90085554122925 39.011531185795064, -122.90074825286865 39.01088093482442, -122.90420293807983 39.010664183172366, -122.90774345397949 39.01103099327134, -122.90866613388062 39.01098097382442, -122.90885925292967 39.01184797256374, -122.91152000427245 39.015382549738064, -122.91456699371338 39.02071742598721, -122.9150605201721 39.02233448085199, -122.91574716567992 39.02371811699127, -122.9160475730896 39.024835008338826, -122.91484594345093 39.025151735509404, -122.91426658630371 39.02398483891689)))

Project Counties: Lake, CA

Endangered Species Act Species List

There are a total of 5 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 *(Rana draytonii)* Population: Entire	Threatened	Final designated	
Birds			
Northern Spotted owl *(Strix occidentalis caurina)* Population: Entire	Threatened	Final designated	
Fishes			
Delta smelt *(Hypomesus transpacificus)* Population: Entire	Threatened	Final designated	
steelhead *(Oncorhynchus (=salmo) mykiss)* Population: Northern California DPS	Threatened	Final designated	
Flowering Plants			
Burke's goldfields *(Lasthenia burkei)*	Endangered		

Critical habitats that lie within your project area

There are no critical habitats within your project area.

	Scientific Name/Common Name	Element Code	Federal Status	State Status	GRank	SRank	CDFG or CNPS
1	***Agelaius tricolor*** tricolored blackbird	ABPBXB0020			G2G3	S1S2	SC
2	***Amsinckia lunaris*** bent-flowered fiddleneck	PDBOR01070			G2?	S2?	1B.2
3	***Andrena blennospermatis*** Blennosperma vernal pool andrenid bee	IIHYM35030			G2	S2	
4	***Antirrhinum subcordatum*** dimorphic snapdragon	PDSCR2S070			G3	S3	4.3
5	***Archoplites interruptus*** Sacramento perch	AFCQB07010			G2G3	S1	SC
6	***Arctostaphylos manzanita ssp. elegans*** Konocti manzanita	PDERI04271			G5T3	S3	1B.3
7	***Arctostaphylos stanfordiana ssp. raichei*** Raiche's manzanita	PDERI041G2			G3T1	S1	1B.1
8	***Ardea herodias*** great blue heron	ABNGA04010			G5	S4	
9	***Artemisiospiza belli belli*** Bell's sage sparrow	ABPBX97021			G5T2T4	S2?	
10	***Bombus caliginosus*** obscure bumble bee	IIHYM24380			G4?	S1S2	
11	***Brasenia schreberi*** watershield	PDCAB01010			G5	S3	2B.3
12	***Calasellus californicus*** An isopod	ICMAL34010			G2	S2	
13	***Calycadenia micrantha*** small-flowered calycadenia	PDAST1P0C0			G2	S2	1B.2
14	***Clear Lake Drainage Cyprinid/Catostomid Stream***	CARA2530CA			GNR	SNR	
15	***Clear Lake Drainage Resident Trout Stream***	CARA2520CA			GNR	SNR	
16	***Clear Lake Drainage Seasonal Lakefish Spawning Stream***	CARA2550CA			GNR	SNR	
17	***Coastal and Valley Freshwater Marsh***	CTT52410CA			G3	S2.1	
18	***Corynorhinus townsendii*** Townsend's big-eared bat	AMACC08010		Candidate Threatened	G3G4	S2	SC
19	***Cryptantha dissita*** serpentine cryptantha	PDBOR0A0H2			G2	S2	1B.2
20	***Dubiraphia brunnescens*** brownish dubiraphian riffle beetle	IICOL5A010			G1	S1	
21	***Emys marmorata*** western pond turtle	ARAAD02030			G3G4	S3	SC
22	***Eriastrum brandegeeae*** Brandegee's eriastrum	PDPLM03020			G1Q	S1	1B.1
23	***Gratiola heterosepala*** Boggs Lake hedge-hyssop	PDSCR0R060		Endangered	G2	S2	1B.2
24	***Hesperolinon adenophyllum*** glandular western flax	PDLIN01010			G3	S3	1B.2

	Scientific Name/Common Name	Element Code	Federal Status	State Status	GRank	SRank	CDFG or CNPS
25	***Hesperolinon bicarpellatum*** two-carpellate western flax	PDLIN01020			G3	S3	1B.2
26	***Horkelia bolanderi*** Bolander's horkelia	PDROS0W010			G1	S1	1B.2
27	***Hydrochara ricksecker*** Ricksecker's water scavenger beetle	IICOL5V010			G2?	S2?	
28	***Lasionycteris noctivagans*** silver-haired bat	AMACC02010			G5	S3S4	
29	***Lasthenia burkei*** Burke's goldfields	PDAST5L010	Endangered	Endangered	G1	S1	1B.1
30	***Lavinia exilicauda chi*** Clear Lake hitch	AFCJB19011		Threatened	G4T1	S1	SC
31	***Layia septentrionalis*** Colusa layia	PDAST5N0F0			G2	S2	1B.2
32	***Legenere limosa*** legenere	PDCAM0C010			G2	S2	1B.1
33	***Limnanthes floccosa ssp. floccosa*** woolly meadowfoam	PDLIM02043			G4T4	S3	4.2
34	***Lupinus antoninus*** Anthony Peak lupine	PDFAB2B0C0			G2	S2	1B.3
35	***Navarretia leucocephala ssp. plieantha*** many-flowered navarretia	PDPLM0C0E5	Endangered	Endangered	G4T1	S1	1B.2
36	***Northern Volcanic Ash Vernal Pool***	CTT44133CA			G1	S1.1	
37	***Orcuttia tenuis*** slender Orcutt grass	PMPOA4G050	Threatened	Endangered	G2	S2	1B.1
38	***Pandion haliaetus*** osprey	ABNKC01010			G5	S4	
39	***Pekania pennanti*** fisher - West Coast DPS	AMAJF01021	Proposed Threatened	Candidate Threatened	G5T2T3Q	S2S3	SC
40	***Phalacrocorax auritus*** double-crested cormorant	ABNFD01020			G5	S4	
41	***Plagiobothrys lithocaryus*** Mayacamas popcornflower	PDBOR0V0P0			GH	SH	1A
42	***Potamogeton zosteriformis*** eel-grass pondweed	PMPOT03160			G5	S3	2B.2
43	***Progne subis*** purple martin	ABPAU01010			G5	S3	SC
44	***Rana boylii*** foothill yellow-legged frog	AAABH01050			G3	S3	SC
45	***Taxidea taxus*** American badger	AMAJF04010			G5	S3	SC
46	***Tracyina rostrata*** beaked tracyina	PDAST9D010			G1	S1	1B.2
47	***Trichostema ruygtii*** Napa bluecurls	PDLAM220H0			G1G2	S1S2	1B.2

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14 matches found. *Click on scientific name for details*

Search Criteria

Found in Quad 39122A8 - Lakeport

Scientific Name	Common Name	Family	Lifeform	Rare Plant Rank	State Rank	Global Rank
Amsinckia lunaris	bent-flowered fiddleneck	Boraginaceae	annual herb	1B.2	S2?	G2?
Antirrhinum virga	twig-like snapdragon	Plantaginaceae	perennial herb	4.3	S3S4	G3G4
Arctostaphylos manzanita ssp. elegans	Konocti manzanita	Ericaceae	perennial evergreen shrub	1B.3	S3	G5T3
Astragalus breweri	Brewer's milk-vetch	Fabaceae	annual herb	4.2	S3	G3
Brasenia schreberi	watershield	Cabombaceae	perennial rhizomatous herb	2B.3	S3	G5
Clarkia gracilis ssp. tracyi	Tracy's clarkia	Onagraceae	annual herb	4.2	S3	G5T3
Cryptantha dissita	serpentine cryptantha	Boraginaceae	annual herb	1B.2	S2	G2
Fritillaria purdyi	Purdy's fritillary	Liliaceae	perennial bulbiferous herb	4.3	S4	G4
Hesperolinon adenophyllum	glandular western flax	Linaceae	annual herb	1B.2	S3	G3
Layia septentrionalis	Colusa layia	Asteraceae	annual herb	1B.2	S2	G2
Plagiobothrys lithocaryus	Mayacamas popcorn-flower	Boraginaceae	annual herb	1A	SH	GH
Ranunculus lobbii	Lobb's aquatic buttercup	Ranunculaceae	annual herb	4.2	S3	G4
Streptanthus hesperidis	green jewel-flower	Brassicaceae	annual herb	1B.2	S2	G2
Tracyina rostrata	beaked tracyina	Asteraceae	annual herb	1B.2	S1	G1

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5 matches found. *Click on scientific name for details*

Search Criteria

Found in Quad 39122A7 - Lucerne

Scientific Name	Common Name	Family	Lifeform	Rare Plant Rank	State Rank	Global Rank
Amsinckia lunaris	bent-flowered fiddleneck	Boraginaceae	annual herb	1B.2	S2?	G2?
Arctostaphylos manzanita ssp. elegans	Konocti manzanita	Ericaceae	perennial evergreen shrub	1B.3	S3	G5T3
Hesperolinon adenophyllum	glandular western flax	Linaceae	annual herb	1B.2	S3	G3
Layia septentrionalis	Colusa layia	Asteraceae	annual herb	1B.2	S2	G2
Micropus amphibolus	Mt. Diablo cottonweed	Asteraceae	annual herb	3.2	S3S4	G3G4

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Search Criteria

Found in Quad 38122H8 - Kelseyville

Scientific Name	Common Name	Family	Lifeform	Rare Plant Rank	State Rank	Global Rank
Amsinckia lunaris	bent-flowered fiddleneck	Boraginaceae	annual herb	1B.2	S2?	G2?
Antirrhinum subcordatum	dimorphic snapdragon	Plantaginaceae	annual herb	4.3	S3	G3
Arctostaphylos manzanita ssp. elegans	Konocti manzanita	Ericaceae	perennial evergreen shrub	1B.3	S3	G5T3
Arctostaphylos stanfordiana ssp. raichei	Raiche's manzanita	Ericaceae	perennial evergreen shrub	1B.1	S1	G3T1
Astragalus breweri	Brewer's milk-vetch	Fabaceae	annual herb	4.2	S3	G3
Calycadenia micrantha	small-flowered calycadenia	Asteraceae	annual herb	1B.2	S2	G2
Calyptridium quadripetalum	four-petaled pussypaws	Montiaceae	annual herb	4.3	S4	G4
Calystegia collina ssp. oxyphylla	Mt. Saint Helena morning-glory	Convolvulaceae	perennial rhizomatous herb	4.2	S3	G4T3
Clarkia gracilis ssp. tracyi	Tracy's clarkia	Onagraceae	annual herb	4.2	S3	G5T3
Cryptantha dissita	serpentine cryptantha	Boraginaceae	annual herb	1B.2	S2	G2
Hesperolinon adenophyllum	glandular western flax	Linaceae	annual herb	1B.2	S3	G3
Horkelia bolanderi	Bolander's horkelia	Rosaceae	perennial herb	1B.2	S1	G1
Layia septentrionalis	Colusa layia	Asteraceae	annual herb	1B.2	S2	G2
Micropus amphibolus	Mt. Diablo cottonweed	Asteraceae	annual herb	3.2	S3S4	G3G4

Suggested Citation

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25 matches found. *Click on scientific name for details*

Search Criteria

Found in Quad 38122H7 - Kelseyville

Scientific Name	Common Name	Family	Lifeform	Rare Plant Rank	State Rank	Global Rank
Arctostaphylos manzanita ssp. elegans	Konocti manzanita	Ericaceae	perennial evergreen shrub	1B.3	S3	G5T3
Arctostaphylos stanfordiana ssp. raichei	Raiche's manzanita	Ericaceae	perennial evergreen shrub	1B.1	S1	G3T1
Astragalus breweri	Brewer's milk-vetch	Fabaceae	annual herb	4.2	S3	G3
Azolla microphylla	Mexican mosquito fern	Azollaceae	annual / perennial herb	4.2	S4	G5
Brasenia schreberi	watershield	Cabombaceae	perennial rhizomatous herb	2B.3	S3	G5
Calyptridium quadripetalum	four-petaled pussypaws	Montiaceae	annual herb	4.3	S4	G4
Clarkia gracilis ssp. tracyi	Tracy's clarkia	Onagraceae	annual herb	4.2	S3	G5T3
Cordylanthus tenuis ssp. brunneus	serpentine bird's-beak	Orobanchaceae	annual herb (hemiparasitic)	4.3	S3	G4G5T3
Cryptantha dissita	serpentine cryptantha	Boraginaceae	annual herb	1B.2	S2	G2
Eriastrum brandegeeae	Brandegee's eriastrum	Polemoniaceae	annual herb	1B.1	S1	G1Q
Gratiola heterosepala	Boggs Lake hedge-hyssop	Plantaginaceae	annual herb	1B.2	S2	G2
Hesperolinon adenophyllum	glandular western flax	Linaceae	annual herb	1B.2	S3	G3
Horkelia bolanderi	Bolander's horkelia	Rosaceae	perennial herb	1B.2	S1	G1
Lasthenia burkei	Burke's goldfields	Asteraceae	annual herb	1B.1	S1	G1
Layia septentrionalis	Colusa layia	Asteraceae	annual herb	1B.2	S2	G2
Legenere limosa	legenere	Campanulaceae	annual herb	1B.1	S2	G2
Leptosiphon acicularis	bristly leptosiphon	Polemoniaceae	annual herb	4.2	S3	G3
Limnanthes floccosa ssp. floccosa	woolly meadowfoam	Limnanthaceae	annual herb	4.2	S3	G4T4
Lupinus sericatus	Cobb Mountain lupine	Fabaceae	perennial herb	1B.2	S2	G2
Micropus amphibolus	Mt. Diablo cottonweed	Asteraceae	annual herb	3.2	S3S4	G3G4
Navarretia leucocephala ssp.	few-flowered	Polemoniaceae	annual herb	1B.1	S1	G4T1

pauciflora	navarretia					
Navarretia leucocephala ssp. plieantha	many-flowered navarretia	Polemoniaceae	annual herb	1B.2	S1	G4T1
Orcuttia tenuis	slender Orcutt grass	Poaceae	annual herb	1B.1	S2	G2
Streptanthus barbiger	bearded jewel-flower	Brassicaceae	annual herb	4.2	S3	G3
Trichostema ruygtii	Napa bluecurls	Lamiaceae	annual herb	1B.2	S1S2	G1G2

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APPENDIX B

2010 NES, FIGURE 6 – PLANT COMMUNITIES/LAND USES

South Main Street

State Route 29

Manning Creek

Soda Bay Road

LSA

N

0 400

Scale In Feet

Legend

- Biological Study Area

Plant Communities/Land Uses (54.76 ac)

- California Annual Grassland (2.10 ac)
- Developed (39.44 ac)
- Orchard (4.15 ac)
- Row Crops (1.34 ac)
- Ruderal/Disturbed (4.82 ac)
- Serpentine Grassland (1.44 ac)
- Teasel Grassland (1.47 ac)

FIGURE 6

South Main Street and Soda Bay Road
Widening and Bike Lanes Project
01-Lak-South Main/Soda Bay (CR 502)
Federal Project No. RPSTPLE-5914(042) & (043)
Plant Communities/Land Uses

SOURCE: BASEMAP - AIRPHOTO USA (2/2006); MAPPING - LSA ASSOCIATES, INC. (2010)
I:\Qce0702\gis\fig6-plant_comm_4.10.mxd (4/26/10)

APPENDIX C

CLEAR LAKE HITCH MEMORANDUM

AREA WEST ENVIRONMENTAL, INC.

October 27, 2015

Lars Ewing
County of Lake Public Works Department
255 N. Forbes Street, Room 309
Lakeport, CA 95453

SUBJECT: Technical memorandum on Clear Lake hitch (*Lavinia exilicauda chi*) for the South Main Street and Soda Bay Road Corridor Improvement Project, Lake County, California.

Dear Mr. Ewing,

On August 6, 2014, the California Department of Fish and Wildlife (CDFW) listed the Clear Lake hitch (*Lavinia exilicauda chi*) (CLH) as threatened under the California Endangered Species Act (CESA). The CDFW Notice of Findings for CLH is provided as Attachment A.

The 2011 Initial Study/Environmental Assessment (IS/EA) prepared for the South Main Street and Soda Bay Road Widening and Bike Lanes Project (Project) addressed potential effects on CLH, a CDFW species of special concern at the time of document preparation. The proposed Project will replace culverts at drainage tributaries to Manning Creek. This memorandum addresses the change in listing status for CLH, results of recent correspondence with CDFW, and CDFW's recommended revisions to the avoidance and minimization measures adopted by the County and California Department of Transportation (Caltrans).

Species Distribution

Information on CLH life history presented in the IS/EA remains valid; however, additional information on distribution and known occurrences of CLH have been documented in the Status Review report prepared by CDFW for the Fish and Game Commission in 2014 (CDFW 2014).

Unpublished data from the Chi Council for Clear Lake Hitch (CCCLH) show observations of CLH within Manning Creek to the east of the Project site (Attachment B). In 2005, 150 individuals were observed, and in 2006, 135. No individuals were observed from 2007 – 2009, but in 2010, 1,170 individuals were counted. In 2011, 50 individuals were observed at both drainages that cross the Project area, and 100 were counted at the Manning Creek Bridge on Soda Bay Road approximately 250 feet east of the southern Project terminus. Table 1 and the maps in Attachment B, excerpted from the Status Review, confirm the use of the drainages by CLH.

Table 1. Observations of CLH along Soda Bay Road from 2005-2011

Year	Drainage 1	Drainage 2	Manning Creek Bridge
2005	0	0	150
2006	0	0	135
2007	0	0	0
2008	0	0	0
2009	0	0	0
2010	0	0	1,170
2011	50	50	100

Agency Correspondence and Recommended Mitigation

During preparation of the IS/EA, CDFW was contacted to provide input on avoidance and minimization measures for CLH. According to a reported phone conversation on August 27, 2008, with Richard Macedo at CDFW, CDFW recommended that in-water work be conducted after June 15, pre-construction surveys be conducted prior to in-water work, and new culverts limit flow velocity to pre-existing conditions in order to avoid any impacts on CLH movement. The IS/EA included these recommendations and also stated that after work was complete, temporarily disturbed areas would be restored to preconstruction contours. Table 2 lists the avoidance and minimization measures adopted by the County and Caltrans to avoid impacts on CLH.

Table 2. Avoidance and Minimization Measures Adopted by the County and Caltrans

Avoidance and Minimization Measures for Clear Lake Hitch	
1	In-water work would not begin until June 15.
2	To the maximum extent feasible, construction of the new culverts and the extension of the existing culverts would be constructed with the minimum gradient necessary and so the bottom sill of the culvert is at or below the existing channel grade.
3	Temporary impact areas in the drainages would be restored to preconstruction contours.

To support the re-validation of the Caltrans document, Area West biologist Samuel Price contacted CDFW to request confirmation that the current mitigation measures remain appropriate. Mr. Macedo, replied via email on October 2, 2015, and referred our question to Tanya Sheya, Environmental Scientist with CDFW. According to email correspondence with Ms. Sheya on October 12, 2015 (Attachment C), two changes to the avoidance and minimization measures have been requested:

- First, CDFW requests that the date for in-water work be revised to after June 30, in order for CLH to complete spawning and fry emergence.

- Second, the phrasing “to the maximum extent feasible,” in measure # 2 should be removed so that the measure states clearly that the new culvert’s bottom sill is required to be at or below the existing channel grade. This measure would ensure that the new culverts would not be a barrier for migration.

Conclusion

There are no new impacts or changes in the severity of the impacts described in the IS/EA. However, new distribution data and correspondence from CDFW recommends minor revisions to the adopted avoidance and minimization measures. These revisions create slightly more stringent measures than those presented in the IS/EA. The County and Caltrans should adopt these minor revisions to the avoidance and minimization measures during the re-validation process. According to CEQA Guidelines, Section 15073.5, recirculation of a negative declaration is not required if mitigation measures are replaced with equal or more effective measures, so no recirculation is required as a result of the change in status for CLH.

Please call or e-mail me at (916) 987-3362 or adour-smith@areawest.net with any questions.

Sincerely,

Aimee Dour-Smith
Project Manager

cc. Kristin Nurmela, LSA

Attachment A. CDFW Notice of Findings

NOTICE OF FINDINGS

Clear Lake Hitch

(*Lavinia exilicaudachi chi*)

NOTICE IS HEREBY GIVEN that the California Fish and Game Commission ("Commission"), at its August 6, 2014 meeting in San Diego, California, made a finding pursuant to Fish and Game Code section 2075.5, that the petitioned action to add the Clear Lake hitch (*Lavinia exilicaudachi chi*) ("CLH") to the list of threatened species under the California Endangered Species Act ("CESA") (Fish & G. Code, § 2050 et seq.) is warranted. (See also Cal. Code Regs., tit. 14, § 670.1, subd. (i).)

I. Background and Procedural History

On September 25, 2012, the Commission received the "Petition to List the Clear Lake Hitch (*Lavinia exilicaudachi chi*) as Threatened under the California Endangered Species Act" (September 25, 2012; hereafter, the "Petition"), as submitted by the Center for Biological Diversity ("Petitioners"). Commission staff transmitted the Petition to the Department of Fish and Wildlife ("Department") pursuant to Fish and Game Code section 2073 on September 26, 2012, and the Commission published formal notice of receipt of the Petition on October 12, 2012 (Cal. Reg. Notice Register 2012, Vol. 41-Z, p.1502). The Commission granted a 30-day extension to the Department for completion of the Department's initial review of the Petition. After evaluating the Petition on its face and in relation to other relevant information it possessed or received, the Department prepared its January 2013 "Report to the Fish and Game Commission: Evaluation of the Petition from the Center for Biological Diversity to List Clear Lake Hitch (*Lavinia exilicauda chi*) as a Threatened Species under the California Endangered Species Act" ("Petition Evaluation Report") and, pursuant to Fish and Game Code section 2073.5, recommended to the Commission, based on the information in the Petition, that there was sufficient scientific information to indicate the petitioned action may be warranted, and that the Petition should be accepted. At a noticed public hearing in Mount Shasta, California on March 6, 2013, the Commission determined the petitioned action may be warranted and accepted the Petition for further review. (Fish & G. Code, § 2074.2, subd. (e)(2).) The Commission published notice of the designation of CLH as a candidate species under CESA on March 22, 2013. (Cal. Reg. Notice Register 2013, Vol. 12-Z p. 488; see also Fish & G. Code, §§ 2068, 2080, 2085.)

Following the Commission's designation of the CLH as a candidate species, the Department notified affected and interested parties, and solicited data and comments on the petitioned action pursuant to Fish and Game Code section 2074.4. (See also Cal. Code Regs., tit. 14, § 670.1(f)(2).) Subsequently, the Department commenced its review of the status of the species in California. On May 28, 2014 the Department

Director submitted its "Report to the Fish and Game Commission: A Status Review of the Clear Lake Hitch (*Lavinia exilicauda chi*)," dated May 2014 ("Status Review"), to the Commission pursuant to Fish and Game Code section 2074.6, including a recommendation based upon the best scientific information available that, in the Department's independent judgment, the petitioned action was warranted. The Department's report also included a preliminary identification of habitat that may be essential to the continued existence of CLH and management recommendations. In preparing its report the Department sought independent and competent peer review on its draft Status Review from scientists with acknowledged relevant expertise An appendix to the final Status Review contains the specific input provided to the Department by the individual peer reviewers, a brief explanation and evaluation of that input by the Department, and a description of related revisions included in the final Status Review transmitted to the Commission. (See generally Fish & G. Code § 2074.6; Cal. Code Regs., tit. 14, § 670.1(f)(2).)

On August 6, 2014, at a noticed meeting in San Diego, California, the Commission held a public hearing regarding the Petition after receiving related testimony and other information, and began its deliberations regarding the petitioned action.

Species Description

CLH is a member of the cyprinid family, growing to 35 centimeters (cm) standard length (SL), and with laterally compressed bodies, small heads and upward pointing mouths (Moyle et al. 1995). They are separated from other California minnows by their long anal fin consisting of 11 to 14 rays. The dorsal fin (10 to12 rays) originates behind the origin of the pelvic fins. Juvenile CLH are silvery with a black spot at the base of the tail. As CLH grow older the spot is lost and they appear yellow-brown to silvery-white on the back. The body becomes deeper in color as the length increases (Hopkirk 1973; Moyle 2002). CLH show little change in pigmentation during the breeding season (Hopkirk 1973). The deep, compressed body, small upturned mouth, and numerous long slender gill rakers (26 to 32) reflect the zooplankton-feeding strategy of a limnetic (well-lit, surface waters away from shore) forager (Moyle 2002). This lake adapted subspecies also has larger eyes and larger scales than other hitch subspecies.

Federal Status

On September 25, 2012 the Center for Biological Diversity petitioned the U.S. Fish and Wildlife Service (USFWS) to list CLH as endangered or threatened under the federal Endangered Species Act (ESA). As of the preparation of these Findings, there has been no action taken on the petition by USFWS.

The U.S. Forest Service (USFS) lists CLH as a sensitive species. USFS sensitive species are those plant and animal species identified by a regional forester that are not

listed or proposed for listing under the federal ESA for which population viability is a concern.

II. STATUTORY AND LEGAL FRAMEWORK

The Commission, as established by the California Constitution, has exclusive statutory authority under California law to designate endangered, threatened, and candidate species under CESA (Cal. Const., art. IV, § 20, subd. (b); Fish & G. Code, § 2070). The CESA listing process for CLH began in the present case with the Petitioners' submittal of the Petition to the Commission on September 25, 2012. Pursuant to Fish and Game Code section 2073, on September 26, 2012 the Commission transmitted the petition to the Department for review pursuant to Fish and Game Code section 2073.5. The regulatory process that ensued is described in some detail in the preceding section above, along with related references to the Fish and Game Code and controlling regulation. The CESA listing process generally is also described in some detail in published appellate case law in California, including:

- *Mountain Lion Foundation v. California Fish and Game Commission* (1997) 16 Cal.4th 105, 114-116;
- *California Forestry Association v. California Fish and Game Commission* (2007) 156 Cal.App.4th 1535, 1541-1542;
- *Center for Biological Diversity v. California Fish and Game Commission* (2008) 166 Cal.App.4th 597, 600; and
- *Natural Resources Defense Council v. California Fish and Game Commission* (1994) 28 Cal.App.4th 1104, 1111-1116.

The "is warranted" determination at issue here for CLH stems from Commission obligations established by Fish and Game Code section 2075.5. Under this provision, the Commission is required to make one of two findings for a candidate species at the end of the CESA listing process; namely, whether the petitioned action is warranted or is not warranted. Here, with respect to CLH, the Commission made the finding under Fish and Game Code section 2075.5, subdivision (e)(2), that the petitioned action is warranted.

The Commission was guided in making this determination by statutory provisions and other controlling law. The Fish and Game Code, for example, defines an endangered species under CESA as "a native species or subspecies of a bird, mammal, fish, amphibian, reptile or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, over exploitation, predation, competition, or disease." (Fish & G. Code, § 2062.) Similarly, the Fish and Game Code defines a threatened species under CESA as "a native species or subspecies of a bird, mammal, fish, amphibian, reptile or

plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter." (*Id*., § 2067.)

The Commission also considered Title 14 of the California Code of Regulations, section 670.1, subdivision (i)(1)(A), in making its determination regarding CLH. This provision provides, in pertinent part, that a species shall be listed as endangered or threatened under CESA if the Commission determines that the species' continued existence is in serious danger or is threatened by any one or any combination of the following factors:

1. Present or threatened modification or destruction of its habitat;

2. Overexploitation;

3. Predation;

4. Competition;

5. Disease; or

6. Other natural occurrences or human-related activities.

Fish and Game Code section 2070 provides similar guidance. This section states that the Commission shall add or remove species from the list of endangered and threatened species under CESA only upon receipt of sufficient scientific information that the action is warranted. Similarly, CESA provides policy direction not specific to the Commission per se, indicating that all state agencies, boards, and commissions shall seek to conserve endangered and threatened species and shall utilize their authority in furtherance of the purposes of CESA (Fish & G. Code, § 2055). This policy direction does not compel a particular determination by the Commission in the CESA listing context. Nevertheless, as the Court of Appeal for the Third Appellate District underscored in the CESA listing context specifically, "'[l]aws providing for the conservation of natural resources' such as the CESA 'are of great remedial and public importance and thus should be construed liberally." (*California Forestry Association v. California Fish and Game Commission*, *supra*, 156 Cal. App.4th at pp. 1545-1546, citing *San Bernardino Valley Audubon Society v. City of Moreno Valley* (1996) 44 Cal.App.4th 593, 601; Fish & G. Code, §§ 2051, 2052.)

Finally in considering these factors, CESA and controlling regulations require the Commission to actively seek and consider related input from the public and any interested party (see, e.g., *Id*., §§ 2071, 2074.4, 2078; Cal. Code Regs., tit. 14, § 670.1, subd. (h)). The related notice obligations and public hearing opportunities before the Commission are also considerable. (Fish & G. Code, §§ 2073.3, 2074, 2074.2, 2075, 2075.5, 2078; Cal. Code Regs., tit. 14, § 670.1, subds. (c), (e), (g), (i); see also Gov. Code, § 11120 et seq.) All of these obligations are in addition to the requirements

prescribed for the Department in the CESA listing process, including its initial evaluation of the petition and a related recommendation regarding candidacy, and a review of the candidate species' status in California culminating with a report and recommendation to the Commission as to whether listing is warranted based on the best available science. (Fish & G. Code, §§ 2073.4, 2073.5, 2074.4, 2074.6; Cal. Code Regs., tit. 14, § 670.1, subds. (d), (f), (h).)

III. Factual and Scientific Bases for the Commission's Final Determination

The factual and scientific bases for the Commission's determination that designating CLH as a threatened species under CESA is warranted are set forth in detail in the Commission's record of proceedings including the Petition, the Department's 2013 Petition Evaluation Report, the Department's 2014 Status Review, written and oral comments received from members of the public, the regulated community, members and representatives of Clear Lake Native American tribes, the scientific community and other evidence included in the Commission's record of proceedings as it exists up to and including the Commission meeting in San Diego, California on August 6, 2014. The administrative record also includes these findings.

The Commission determines that substantial evidence highlighted in the preceding paragraph, along with other evidence in the administrative record, supports the Commission's determination that CLH in the State of California, while not presently threatened with extinction, is likely to become an endangered species in the foreseeable future, absent the special protections and management efforts required by CESA, and that it is in serious danger or threatened by one or a combination of the following factors as required by the California Code of Regulations, Title 14, section 670.1, subdivision (i)(1)(A):

1. Present or threatened modification or destruction of its habitat;

2. Predation;

3. Competition; or

4. Other natural occurrences or human-related activities.

The Commission also determines that the information in the Commission's record constitutes the best scientific information available and establishes that designating CLH as a threatened species under CESA is warranted. Similarly, the Commission determines that the CLH is likely to be in serious danger of becoming extinct throughout all, or a significant portion, of its range within the foreseeable future in the absence of CESA's protections, due to one or more causes.

The following sections highlight in more detail some of the scientific and factual information and other evidence in the administrative record of proceedings that support the Commission's determination that designating CLH as a threatened species under CESA is warranted. The issues addressed in these findings represent some, but not all of the evidence, issues, and considerations affecting the Commission's final determination. Other issues aired before and considered by the Commission are addressed in detail in the record before the Commission, which record is incorporated herein by reference.

Background

Threats

Present or Threatened Modification or Destruction of Habitat

Beginning with the arrival of European settlers in the mid-1800s, alterations to habitats in the watershed have directly impacted the ability of CLH to survive. Habitats necessary for both spawning and rearing have been reduced or severely decreased in suitability in the past century resulting in an observable decrease in the overall abundance of CLH and its habitat. Throughout the expansion of European settlement around the lake, wetland habitat was drained and filled to provide urban and agricultural lands. Wetland habitat provides critical rearing habitat for juvenile fishes native to the lake. Comparisons of historical versus current wetland habitat reveal a loss of approximately 85 percent, from 9,000 acres in 1840 to 1,500 acres by 1977. Spawning tributaries have been physically altered by a combination of dams, diversions, and mining operations that have altered the course and timing of spring flows and the amount and quality of spawning habitat available for CLH. Dams create barriers to CLH passage that reduce the amount of available spawning habitat while altering the natural flow regime of tributaries. Water diversions on tributaries have resulted in decreased flows during critical spawning migrations for CLH. Loss of eggs, juvenile, and adult fish due to desiccation and stranding from water diversions are likely a significant impact on CLH populations. Gravel mining removed large amounts of spawning substrate during peak operations in the mid-1900s. Spawning substrate has been restored slowly after gravel mining was discontinued in the majority of the watershed.

Water quality impacts to the watershed have resulted in Clear Lake being listed as an impaired water body and led to the establishment of Total Maximum Daily Load (TMDL) limits for both mercury and nutrients for the lake. It is unclear to what extent the water quality impacts are affecting CLH populations. The increase in nutrient loads entering the lake has led to significant cyanobacteria blooms that plague the lake during warmer months. Primary producers such as epiphyton, benthic algae, and rooted vascular

plants form the base of the food chain in the lake. The cyanobacteria blooms reduce the amount of light penetration in the water column and cause a reduction in producers because they cannot reposition themselves to gain more light. The loss of function for primary producers results in significant alterations to the nutrient cycle and food web for the lake. The lake's food web continued to be altered as Clear Lake gnats were targeted for control with various pesticides. Clear Lake gnat, once the primary food source for CLH, were reduced through the use of pesticides from a population estimated in the millions to only a few thousand.

Modification and destruction of habitat is a significant threat to the continued existence of CLH.

Overexploitation

Harvest of CLH has occurred by both Native American tribes and commercial fishery operators at Clear Lake. Historical accounts from tribal members indicate that significant amounts of CLH were harvested during spawning runs. In recent years, the amount of harvest by the Pomo has been minimal, and the CLH are primarily used for educational and cultural reasons. Since the early 1990s commercial fishery operations have been required to return all CLH captured to the lake. Prior to that, CLH had not been regularly harvested for sale. It is likely that incidental catch during commercial harvest operations resulted in mortality of some CLH. However, there is no information indicating that overexploitation threatens the continued existence of CLH. There are currently no commercial fishing permits issued for operations on Clear Lake. The last commercial fishing operation was discontinued in 2007.

Predation

Direct predation of CLH by fish, birds, and mammals is known to occur in occupied habitats within the watershed. Spawning runs are vulnerable to predation from birds and mammals as fish migrate upstream and become stranded at various locations. Stranding occurs both naturally and as a result of habitat modifications described above. Non-native fishes prey directly on different life stages of CLH and represent an introduced impact to the population. CLH have been found during stomach content analyses of largemouth bass. Incidental observations indicate that largemouth bass may target CLH as they stage at the entrance to spawning tributaries in early spring. Other introduced fishes, such as catfish, also prey on CLH. A detailed diet study on selected introduced fishes is necessary to determine the extent of predation from introduced fishes. There is evidence suggesting that predation by introduced fishes threatens the continued existence of CLH.

Competition

The extent of impacts on CLH from competition with other aquatic species is poorly understood. Studies conducted on diet analysis of CLH indicate that there is competition between CLH and other zooplankton consuming fish species, primarily Mississippi silversides and threadfin shad. Observations by Department biologists and others indicate that CLH populations fluctuate on alternating cycles with Mississippi silverside and threadfin shad populations with CLH being more abundant in years with decreased Mississippi silverside and threadfin shad abundance. CLH directly compete with other native and non-native fishes for juvenile rearing habitat. Many fishes in Clear Lake utilize near shore wetland habitat as juveniles and adults. With the decrease in wetland habitat over the past century, there is increased competition for the remaining habitat. Although no formal studies have been completed, it is likely that competition for resources threatens the continued existence of CLH.

Disease

There are no known diseases that are significant threats to the continued existence of CLH.

Other Natural Occurrences or Human-related Activities

Numerous recreational activities such as angling, water skiing, wakeboarding, jet skiing, kayaking, and canoeing take place in Clear Lake each year. The majority of recreational activities pose no significant threat to the survival of CLH. It is believed that recreational and tournament anglers' capture CLH incidentally, however the occurrence is considered rare. The significance of the impact to CLH from angling is unknown, but likely does not threaten the continued existence of CLH.

IV. ADDITIONAL CONSIDERATIONS INFORMING THE COMMISSION'S FINAL DETERMINATION

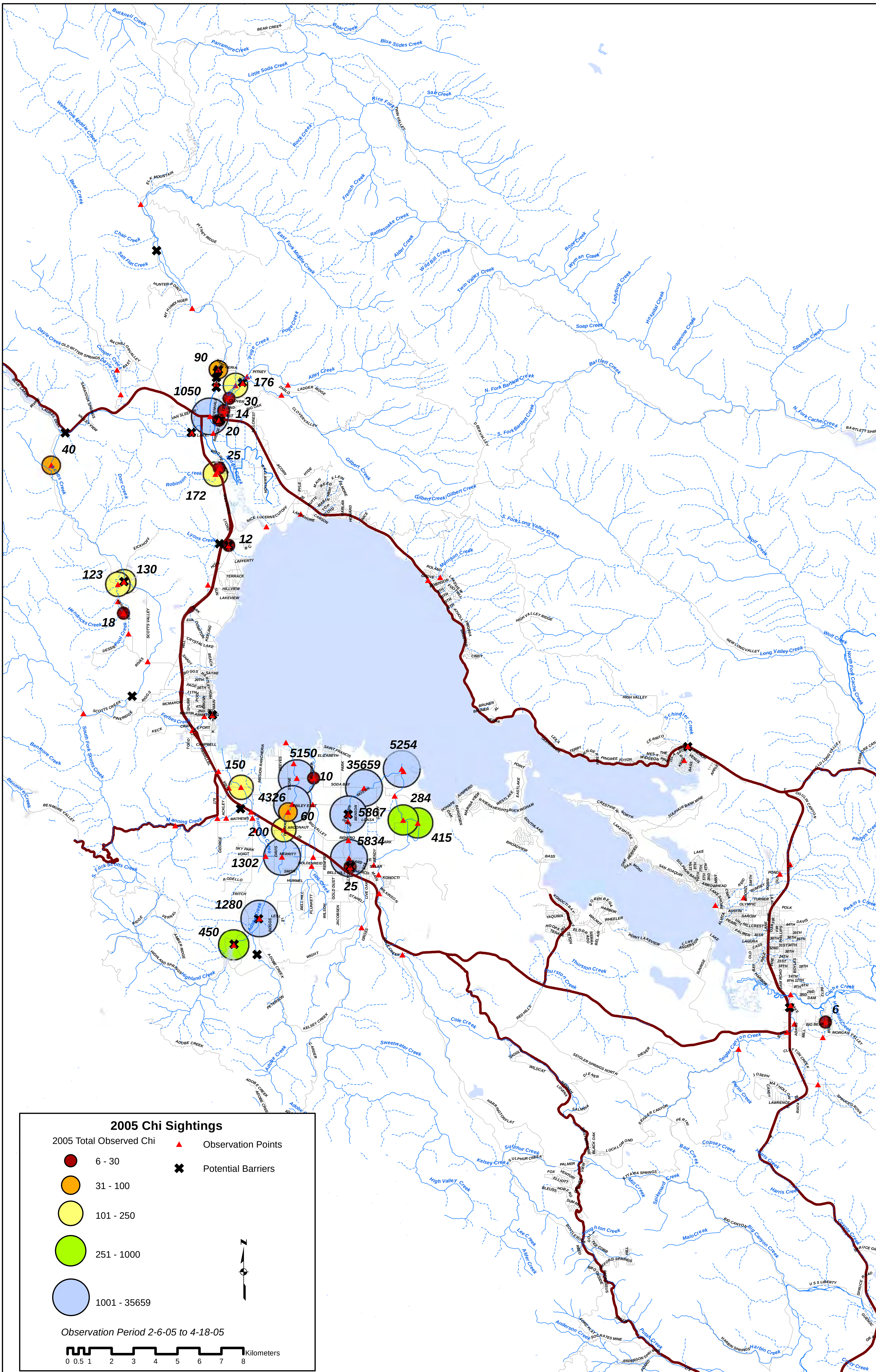
Various additional considerations inform the Commission's determination that designating CLH as a threatened species under CESA is warranted. In general, the Fish and Game Code contemplates a roughly twelve-month long CESA listing process before the Commission, including multiple opportunities for public and Department review and input and peer review (see generally Fish & G. Code, § 2070 et seq.; Cal. Code Regs., tit. 14, § 670.1.). From the initial receipt of the Petition in September 2012 through the Commission's decision on August 6, 2014 that listing is warranted, the Department and the Commission received numerous comments and other significant public input regarding the status of CLH from biological, scientific and cultural resources

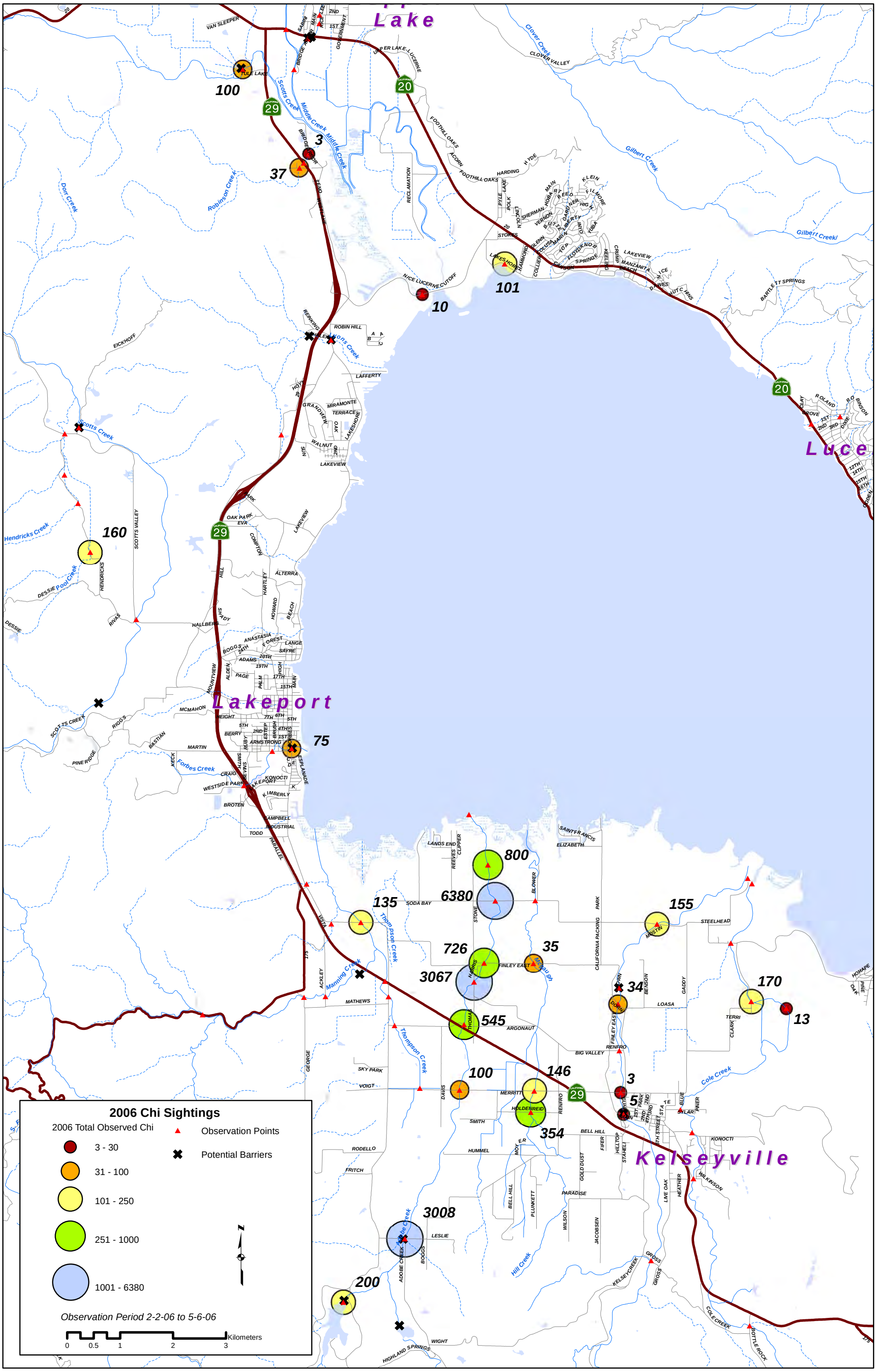
standpoints and with respect to the petitioned action under CESA. The Commission, as highlighted below, was informed by and considered all of these issues, among others, in making its final determination that designating CLH as a threatened species under CESA is warranted. (See Fish & G. Code, § 2075.5, subd. (e)(1); Cal. Code Regs., tit. 14, § 670.1, subd. (i)(2).).

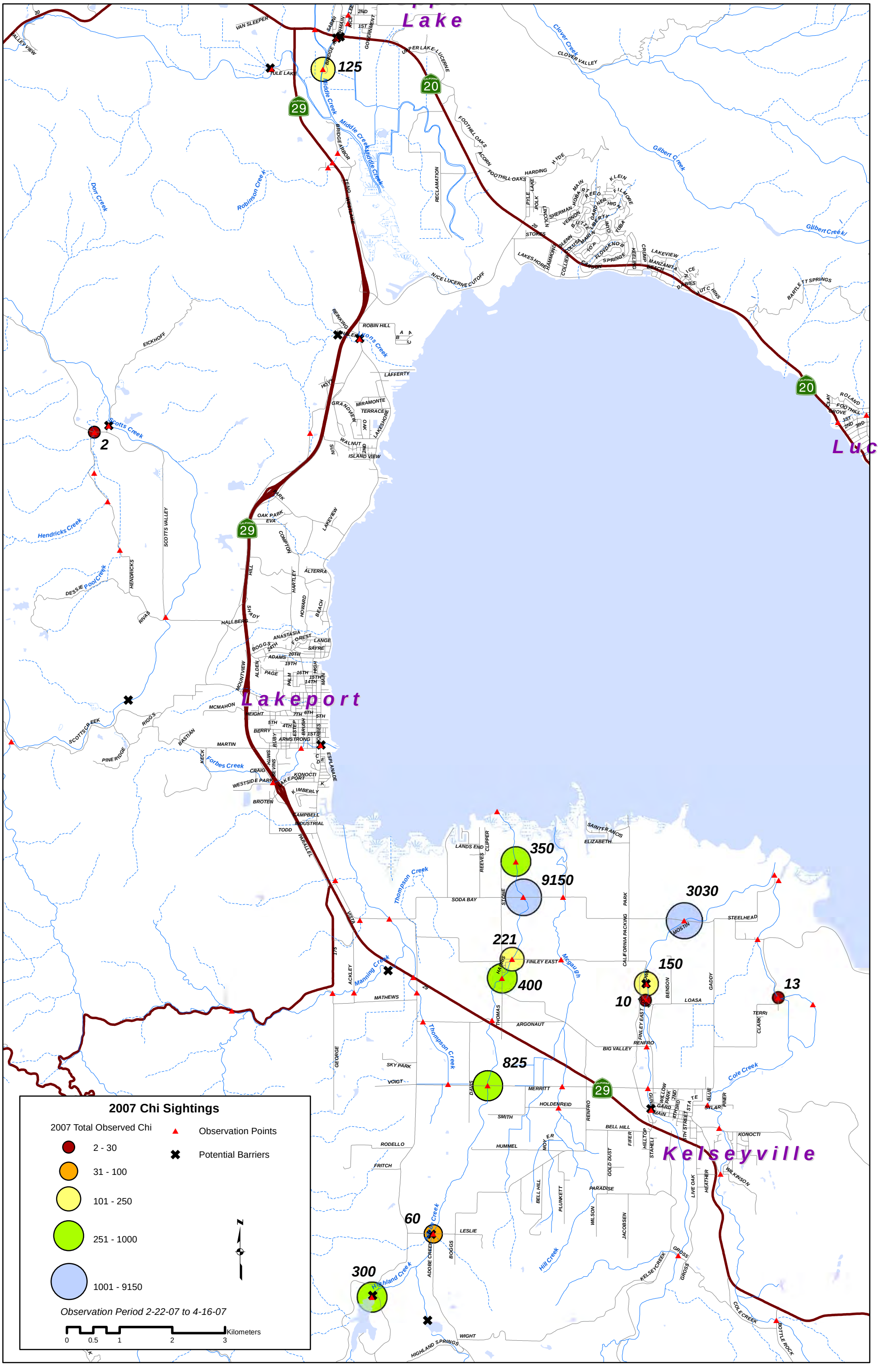
V. FINAL DETERMINATION BY THE COMMISSION

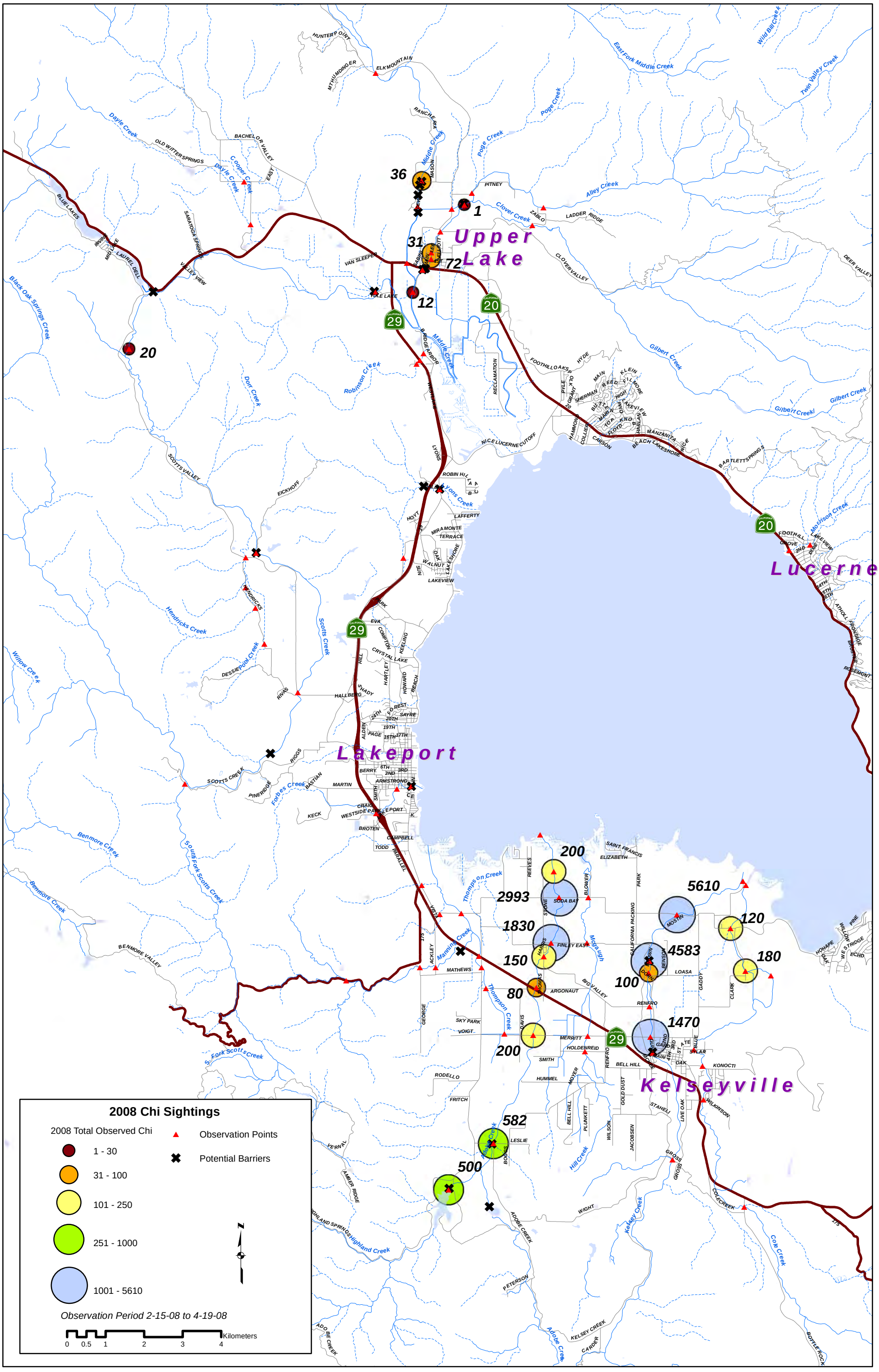
The Commission has weighed and evaluated the information for and against designating CLH as a threatened species under CESA. This information includes scientific and other general evidence in the Petition; the Department's Petition Evaluation Report; the Department's Status Review; the Department's related recommendations; written and oral comments received from members of the public, members and representatives of Clear Lake Native American tribes, the regulated community, various public agencies, and the scientific community; and other evidence included in the Commission's record of proceedings. Based upon the evidence in the record the Commission has determined that the best scientific information available indicates that the continued existence of the CLH is in serious danger or threatened by present or threatened modifications or destruction of the species' habitat, predation, competition, or other natural occurrences or human-related activities, where such factors are considered individually or in combination. (See generally Cal. Code Regs., tit. 14, § 670.1, subd. (i)(1)(A); Fish & G. Code, §§ 2062, 2067.) The Commission determines that there is sufficient scientific information to indicate that designating the CLH as a threatened species under CESA is warranted at this time and that with adoption and publication of these findings the CLH for purposes of its legal status under CESA and further proceedings under the California Administrative Procedure Act, shall be listed as threatened.

Attachment B. CLH Status Review Map Excerpts


2005 Chi Sightings
2005 Total Observed Chi
6 - 30
31 - 100
101 - 250
251 - 1000
1001 - 35659
Observation Points
Potential Barriers
Observation Period 2-6-05 to 4-18-05
0 0.5 1 2 3 4 5 6 7 8
Kilometers
N
90
176
1050
30
14
20
40
25
172
12
123
130
18
5254
5150
35659
10
150
4326
60
5867
284
200
415
5834
1302
25
1280
450
6
Bucknell Creek
Bear Creek
Blue Slides Creek
Parramore Creek
Little Soda Creek
Salt Creek
Rice Fork
West Fork Middle Creek
Rock Creek
French Creek
Rattlesnake Creek
Alder Creek
Wild Bill Creek
Twin Valley Creek
East Fork Middle Creek
Chair Creek
Salt Flat Creek
Root Creek
Wyman Creek
Ladybug Creek
Hospital Creek
Grapevine Creek
Soap Creek
Spanish Creek
Bartlett Creek
N. Fork Bartlett Creek
S. Fork Bartlett Creek
N. Fork Cache Creek
Poge Creek
Alley Creek
Dayle Creek
Cooper Creek
Scotts Creek
Dorr Creek
Robinson Creek
Middle Creek
Clover Creek
Gilbert Creek
S. Fork Long Valley Creek
Morrison Creek
Wolf Creek
Long Valley Creek
North Fork Cache Creek
Lyons Creek
Hendricks Creek
Pool Creek
Forbes Creek
Benmore Creek
South Fork Scotts Creek
S. Fork Scotts Creek
Manning Creek
Thompson Creek
Hill Creek
Adobe Creek
Highland Creek
Schindler Creek
Phipps Creek
Perkins Creek
Cache Creek
Thurston Creek
Cole Creek
Sweetwater Creek
Seigler Canyon Creek
Perini Creek
Copsey Creek
Bad Creek
Harris Creek
Sulphur Creek
Kelsey Creek
High Valley Creek
Mill Creek
Spikenard Creek
Big Canyon Creek
Malo Creek
Coyote Creek
Houghton Creek
Lee Creek
Alder Creek
Anderson Creek
Putah Creek
Harbin Creek
Crazy Creek


Lake
Lakeport
Kelseyville
Clover Creek
Gilbert Creek
Middle Creek
Scotts Creek
Robinson Creek
Dorr Creek
Hendricks Creek
Forbes Creek
Manning Creek
Thompson Creek
Cole Creek
Hill Creek
Adobe Creek
Kelsey Creek
100
3
37
10
101
160
75
800
6380
135
155
726
35
3067
34
170
13
545
100
146
3
5
354
3008
200
2006 Chi Sightings
2006 Total Observed Chi
3 - 30
31 - 100
101 - 250
251 - 1000
1001 - 6380
Observation Points
Potential Barriers
Observation Period 2-2-06 to 5-6-06
0 0.5 1 2 3 Kilometers


Lake
Lakeport
Kelseyville
Clover Creek
Gilbert Creek
Middle Creek
Robinson Creek
Dorr Creek
Scotts Creek
Hendricks Creek
Forbes Creek
Thompson Creek
Manning Creek
Highland Creek
Cole Creek
Hill Creek
Adobe Creek
Gross
Kelsey Creek
Bottle Rock
Bartlett Springs
Upper Lake-Lucerne
Foothill Oaks
Acorn
Harding
Hyde
Main
Klein
Gilmore
Reed
Gardner
Highland
Liberty
Yuba
Lakeview
Manzanita
Crump
Keeling
Floyd
Spring
Lakeshore
Hammond
Glenn
Colusa
Marin
Sherman
Vernon
Lincoln
Polk
Pyle Lake
Reclamation
Nice Lucerne Cutoff
Bridge Arbor
Temp Westside
Rice Lee
Sabrina
Government
1st
2nd
Van Sleeper
Valley View
Rule Lake
Robin Hill
Reinking
Eickhoff
Lafferty
Hoyt
Miramonte
Terrace
Grandview
Oak
Lakeshore
Walnut
Sun
Island View
Park
Oak Park
Eva
Lakeview
Compton
Hill
Hartley
Howard
Beach
Alterra
Shady
Hallberg
Rivas
Hendricks
Dessie Pool Creek
Scotts Valley
Ackley
Anastasia
Forest
Lange
Sayre
Boggs
24th
20th
Adams
19th
Alden
Page
16th
15th
14th
Palm
High
Main
Mountview
Mcmahon
Height
7th
6th
5th
4th
Estep
Brush
1st
Forbes
Esplanade
Armstrong
Berry
Ruby
Martin
Bastian
Riggs
Scotts Creek
Pine Ridge
Keck
Smith
Stevens
Craig
Westside Park
Lakeport
Konocti
Kimberly
Broten
Campbell
Industrial
Todd
Parallel
Vista
Lands End
Clipper
Reeves
Soda Bay
Stone
Elizabeth
Saint Francis
California Packing
Park
Mostin
Steelhead
Roland
Foothill
Grove
Gaddy
Benson
Loasa
Terri
Clark
Finley East
Harris
Thomas
Argonaut
Big Valley
Renfro
Davis
Merritt
Holdenreid
Smith
Hummel
Rodello
Fritch
Sky Park
Voigt
George
Ackley
Mathews
Bell Hill
Moyer
Gold Dust
Paradise
Plunkett
Wilson
Jacobsen
Leslie
Boggs
Wight
Highland Springs
Willow
Park
2nd
3rd
4th Street
Sta
Te
Blue
Stylar
Piner
Gard
Konocti
Wilkinson
Live Oak
Heather
Cole Creek
125
29
20
350
9150
3030
221
400
150
10
13
825
60
300
2
2007 Chi Sightings
2007 Total Observed Chi
2 - 30
31 - 100
101 - 250
251 - 1000
1001 - 9150
Observation Points
Potential Barriers
Observation Period 2-22-07 to 4-16-07
0
0.5
1
2
3
Kilometers
N


Upper Lake
Lakeport
Lucerne
Kelseyville
36
31
72
1
12
20
29
200
2993
1830
150
80
200
582
500
5610
4583
1470
120
180
100
Middle Creek
Clover Creek
Scotts Creek
Kelsey Creek
Highland Creek
Thompson Creek
Manning Creek
Mcgaugh
Adobe Creek
Cole Creek
Gilbert Creek
Robinson Creek
Benmore Creek
Hendricks Creek
Forbes Creek
Willow Creek
Black Oak Springs Creek
Dr r Creek
Dayle Creek
Cooper Creek
Pogie Creek
East Fork Middle Creek
Twin Valley Creek
Wild Bill Creek
Alley Creek
Morrison Creek
Hill Creek
South Fork Scotts Creek
2008 Chi Sightings
2008 Total Observed Chi
1 - 30
31 - 100
101 - 250
251 - 1000
1001 - 5610
Observation Points
Potential Barriers
Observation Period 2-15-08 to 4-19-08
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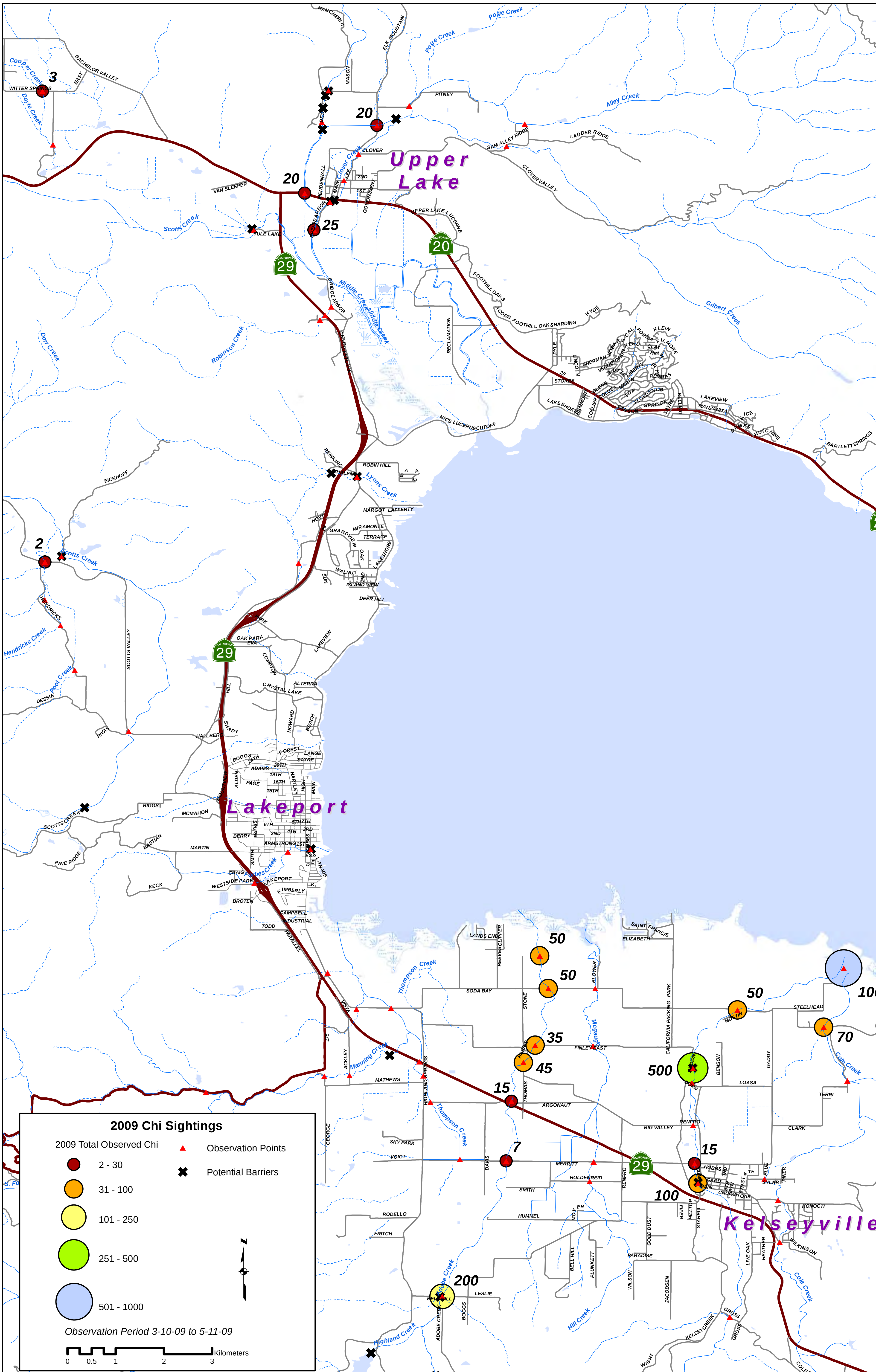
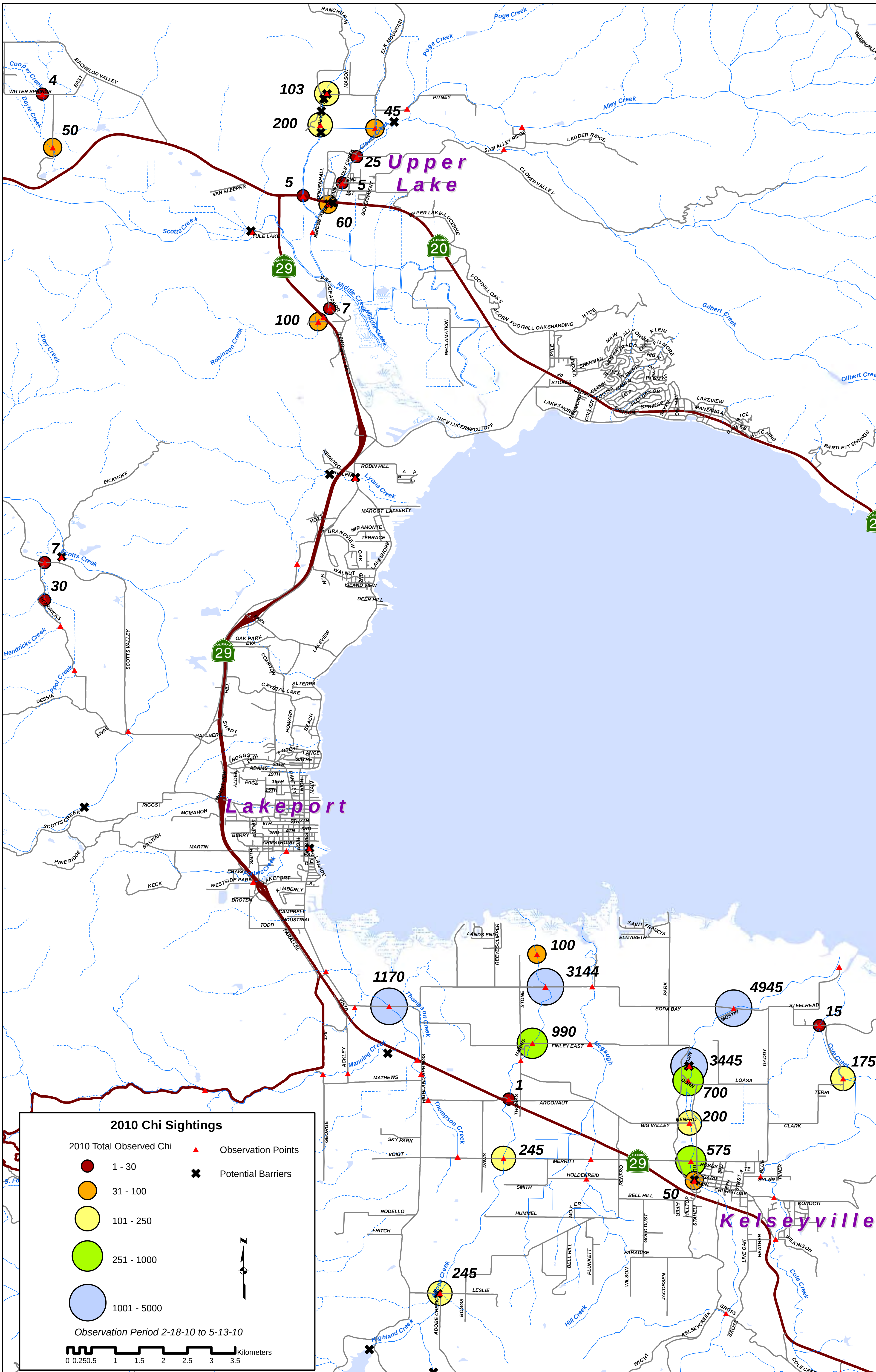
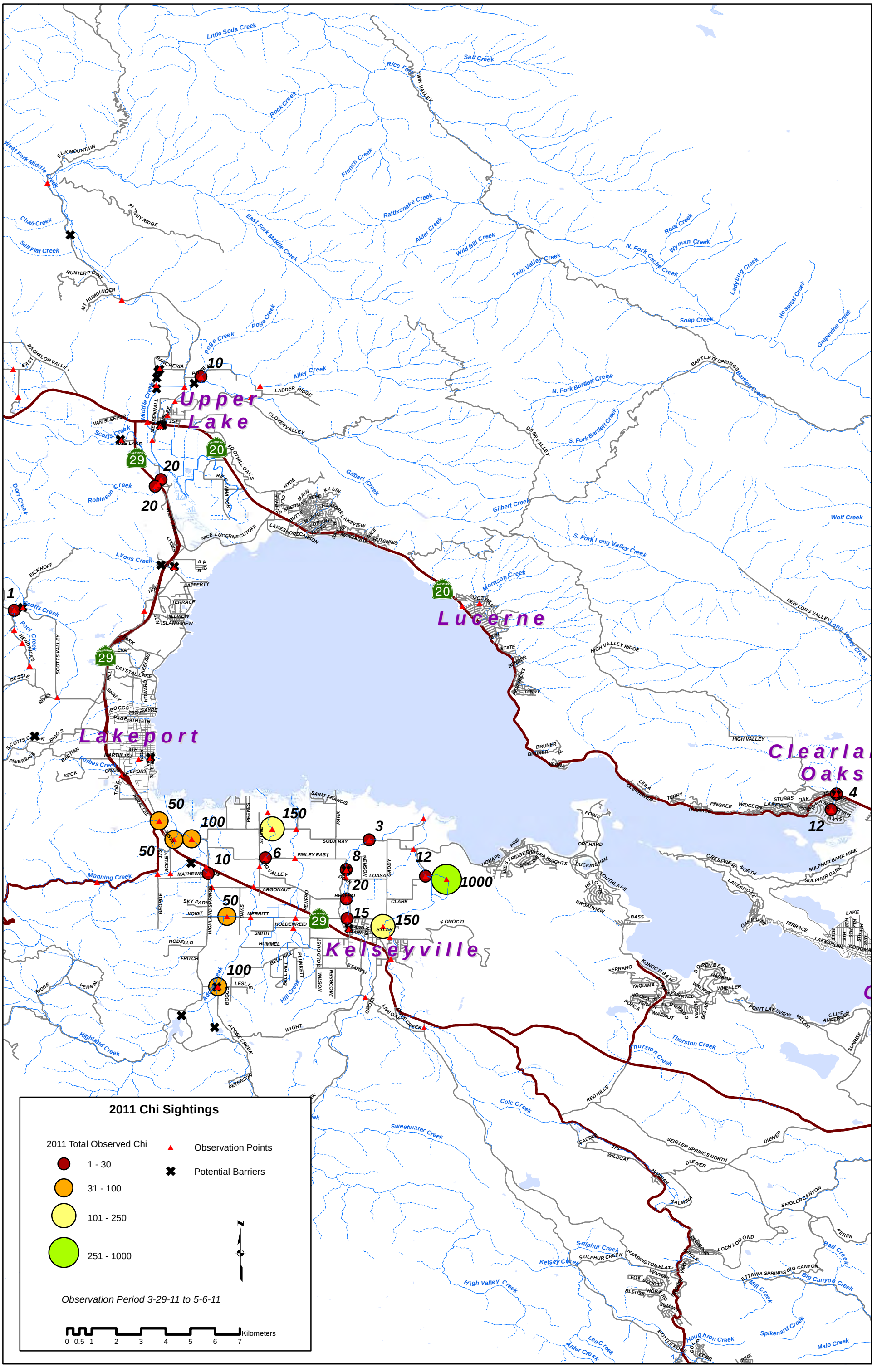
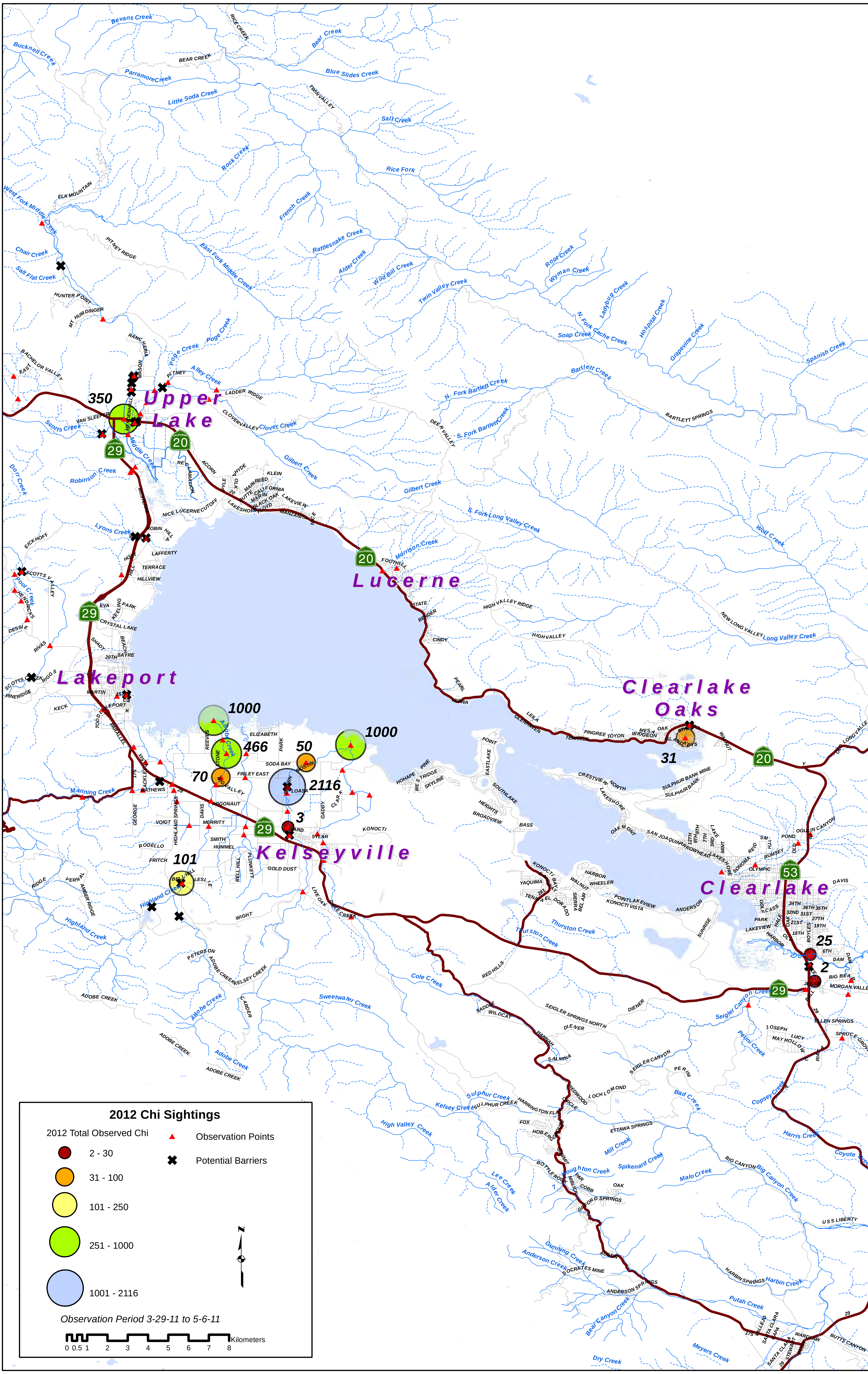

2009 Chi Sightings
2009 Total Observed Chi
2 - 30
31 - 100
101 - 250
251 - 500
501 - 1000
Observation Points
Potential Barriers
Observation Period 3-10-09 to 5-11-09
0
0.5
1
2
3
Kilometers
N
Upper Lake
Lakeport
Kelseyville
3
20
20
25
2
15
7
15
100
200
50
50
35
45
500
50
1000
70
Cooper Creek
Dayle Creek
Poge Creek
Alley Creek
Clover Creek
Scotts Creek
Middle Creek
Robinson Creek
Dorr Creek
Gilbert Creek
Lyons Creek
Hendricks Creek
Pool Creek
Forbes Creek
Thompson Creek
Manning Creek
Mcgaugh
Cole Creek
Adobe Creek
Highland Creek
Hill Creek



2010 Chi Sightings
2010 Total Observed Chi
1 - 30
31 - 100
101 - 250
251 - 1000
1001 - 5000
Observation Points
Potential Barriers
Observation Period 2-18-10 to 5-13-10
0 0.250.5 1 1.5 2 2.5 3 3.5
Kilometers
N
Upper Lake
Lakeport
Kelseyville
20
29
4
50
103
200
45
25
5
5
60
7
100
7
30
1170
100
3144
4945
15
990
3445
700
175
1
200
245
575
50
245
Cooper Creek
Dayle Creek
Scotts Creek
Poge Creek
Alley Creek
Clover Creek
Middle Creek
Robinson Creek
Dorr Creek
Gilbert Creek
Lyons Creek
Hendricks Creek
Pool Creek
Forbes Creek
Thompson Creek
Manning Creek
Mcgaugh
Cole Creek
Adobe Creek
Highland Creek
Hill Creek
BACHELOR VALLEY
WITTER SPRINGS
EAST
RANCHERIA
ELK MOUNTAIN
MASON
PITNEY
SAM ALLEY RIDGE
LADDER RIDGE
CLOVER VALLEY
DEER VALLEY
VAN SLEEPER
TULE LAKE
MENDENHALL
MAIN
MIDDLE CREEK
2ND
1ST
GOVERNMENT
BRIDGE ARBOR
UPPER LAKE-LUCERNE
FOOTHILL OAKS
ACORN
FOOTHILL OAKSHARDING
HYDE
RECLAMATION
NICE LUCERNECUTOFF
LAKESHORE
STOKES
LAKEVIEW
MANZANITA
HUTCHINS
BARTLETT SPRINGS
EICKHOFF
REINKING
WHALEN
ROBIN HILL
MARGOT LAFFERTY
HOYT
GRANDVIEW
MIRAMONTE
TERRACE
WALNUT
ISLAND VIEW
DEER HILL
OAK PARK
EVA
COMPTON
ALTERRA
CRYSTAL LAKE
SCOTTS VALLEY
HENDRICKS
DESSIE
RIVAS
HALLBERG
RIGGS
MCMAHON
SCOTTS CREEK
PINE RIDGE
BASTIAN
MARTIN
KECK
WESTSIDE PARK
LAKEPORT
KIMBERLY
BROTEN
CAMPBELL
INDUSTRIAL
TODD
PARALLEL
VISTA
ACKLEY
MATHEWS
HIGHLAND SPRINGS
GEORGE
SKY PARK
VOIGT
RODELLO
FRITCH
LANDS END
REEVESCLIPPER
SAINT FRANCIS
ELIZABETH
STONE
PARK
SODA BAY
MOSTIN
STEELHEAD
FINLEY EAST
HARRIS
ARGONAUT
THOMAS
LOASA
GADDY
TERRI
CLARK
BIG VALLEY
RENFRO
DAVIS
MERRITT
HOLDENREID
SMITH
HUMMEL
BELL HILL
HOBBS
KONOCTI
WILKINSON
LESLIE
BOGGS
ADOBE CREEK
PLUNKETT
GOLD DUST
PARADISE
WILSON
JACOBSEN
LIVE OAK
HEATHER
GROSS
KELSEYCREEK
WIGHT
COLE CREEK


Upper Lake
Lakeport
Lucerne
Clearlake Oaks
Kelseyville
2011 Chi Sightings
2011 Total Observed Chi
1 - 30
31 - 100
101 - 250
251 - 1000
Observation Points
Potential Barriers
Observation Period 3-29-11 to 5-6-11
0 0.5 1 2 3 4 5 6 7
Kilometers


2012 Chi Sightings
2012 Total Observed Chi
2 - 30
31 - 100
101 - 250
251 - 1000
1001 - 2116
Observation Points
Potential Barriers
Observation Period 3-29-11 to 5-6-11
0 0.5 1 2 3 4 5 6 7 8 Kilometers
N
Upper Lake
Lucerne
Lakeport
Kelseyville
Clearlake Oaks
Clearlake
350
1000
466
50
70
2116
1000
3
101
31
25
2
Bevans Creek
Bucknell Creek
Bear Creek
Blue Slides Creek
Parramore Creek
Little Soda Creek
Salt Creek
Rock Creek
Rice Fork
West Fork Middle Creek
French Creek
Rattlesnake Creek
Alder Creek
Wild Bill Creek
Twin Valley Creek
Root Creek
Wyman Creek
Ladybug Creek
Hospital Creek
N. Fork Cache Creek
Soap Creek
Grapevine Creek
Spanish Creek
Bartlett Creek
N. Fork Bartlett Creek
S. Fork Bartlett Creek
East Fork Middle Creek
Chair Creek
Salt Flat Creek
Poge Creek
Alley Creek
Clover Creek
Scotts Creek
Middle Creek
Robinson Creek
Dorr Creek
Gilbert Creek
S. Fork Long Valley Creek
Wolf Creek
Morrison Creek
Lyons Creek
Pool Creek
Long Valley Creek
Adobe Creek
Manning Creek
Highland Creek
Thurston Creek
Cole Creek
Sweetwater Creek
Seigler Canyon Creek
Perini Creek
Copsey Creek
Bad Creek
Sulphur Creek
Kelsey Creek
High Valley Creek
Harris Creek
Coyote Creek
Mill Creek
Spikenard Creek
Houghton Creek
Malo Creek
Big Canyon Creek
Lee Creek
Alder Creek
Gunning Creek
Anderson Creek
Harbin Creek
Putah Creek
Bear Canyon Creek
Meyers Creek
Dry Creek
BEAR CREEK
RICE CREEK
TWIN VALLEY
ELK MOUNTAIN
PITNEY RIDGE
HUNTER POINT
MT HUMDINGER
RANCHERIA
BACHELOR VALLEY
LADDER RIDGE
CLOVERVALLEY
DEER VALLEY
BARTLETT SPRINGS
HIGH VALLEY RIDGE
HIGHVALLEY
NEW LONG VALLEY
OLD LONG VALLEY
NICE LUCERNE CUTOFF
SCOTTS VALLEY
SODA BAY
SULPHUR BANK MINE
SAN JOAQUIN
KONOCTI
SEIGLER SPRINGS NORTH
SEIGLER CANYON
HARRINGTON FLAT
ETTAWA SPRINGS
BOTTLE ROCK
GIFFORD SPRINGS
SOCRATES MINE
ANDERSON SPRINGS
HARBIN SPRINGS
BIG CANYON
USS LIBERTY
BUTTS CANYON
MORGAN VALLEY
ADOBE CREEK
KELSEY CREEK
20
29
53

Attachment C. Email Correspondence with CDFW

From:	Sheya, Tanya@Wildlife
To:	sprice@areawest.net
Cc:	Baer, Isabel@Wildlife; Aimee Dour-Smith
Subject:	RE: Clear Lake hitch - S. Main Street and Soda Bay Road Improvement Project
Date:	Monday, October 12, 2015 3:23:35 PM
Attachments:	image004.png image005.png

Hi Samuel,

I have reviewed the documents provided and have discussed timing with our Fisheries Biologist for the area. I recommend that work does not start until after June 30th, in order for the Clear Lake hitch to complete spawning and fry emergence. Additionally, I am concerned about in the minimization measure's phrasing: "to the maximum extent feasible." This could potentially mean that the culverts are not installed at the minimum gradient necessary and could create a barrier for migration. I recommend that it is required that the culvert's bottom sill is at or below the existing channel grade. Please let me know if you have any additional questions.

Thank you,

Tanya

Phone: 916.358.2953
Tanya.Sheya@wildlife.ca.gov

Every Californian should conserve water. Find out how at:

Save Our Water

SaveOurWater.com · *Drought.CA.gov*

From: Samuel Price [mailto:sprice@areawest.net]
Sent: Wednesday, October 07, 2015 8:15 AM
To: Sheya, Tanya@Wildlife
Cc: Baer, Isabel@Wildlife; Aimee Dour-Smith
Subject: RE: Clear Lake hitch - S. Main Street and Soda Bay Road Improvement Project

Good morning Tanya,

I am attaching both the ISMND and the NES for this project. I went through both documents, and you can find the mitigation measures within the NES on page V and 37-38. For the ISMND you can find mitigation measure on page 78.

I have CC'd my project manager as well, so she can keep track of this process as well.

Cheers,

ATTACHMENT - CALTRANS SECTION 7 BIOLOGICAL REVALIDATION

From:	Unger, Christa@DOT
To:	Heim, Vincent@DOT
Cc:	Jason Jurrens
Subject:	NEPA Reval for South Main St. Soda Bay Rd. Widening and bike Lanes project -LAK
Date:	Monday, May 12, 2025 1:52:03 PM
Attachments:	Reval051225_USFWSlist.pdf NMFSlist NEPA reval.pdf

Hi Vincent,

This email serves as re-evaluation of ESA Sec. 7 listed species and protected resources as managed by USFWS and NMFS under NEPA.
This re-evaluation covers Lake County's South Main St. Soda Bay Road Widening and Bike Lake Project (RPSTPLE-5914(042), RPSTPLE-5914(043)).

The project will consist of widening South Main Street (Major Collector CR 400A) and Soda Bay Road (Major Collector CR 502), located in the County of Lake, just south of the City of Lakeport. The two streets join at the intersection of the State Route (SR) 175 Extension, just east of SR-29. The total project length is approximately 1.3 miles and includes a 0.5-mile segment of South Main Street, extending from the Lakeport city limits to the SR-175 Extension, and a 0.8-mile segment of Soda Bay Road extending south from the SR-175 Extension to approximately 0.15 mile west of Manning Creek. The proposed improvement project includes widening the existing two lane South Main Street/Soda Bay Road segment into a three-lane roadway with a 12-foot-wide continuous center turn lane and two 12-foot-wide travel lanes with 8-foot-wide paved outside shoulders. The shoulders will serve as Class II bicycle lanes. It is anticipated that for the South Main Street portion of the project, an additional widening may be required within the next 20 years to an ultimate configuration consisting of five 12-foot-wide lanes and two 5-foot-wide shoulders to accommodate projected traffic volumes. Current ROW width is 60 feet. Project requires ROW acquisition to increase width of ROW to 80 feet. Most existing open storm drainage channels and longitudinal ditches along South Main Street and Soda Bay Road will be converted to a system of drainage pipes and cross culverts and covered over by the roadway widening improvements.

The project produced an NES in 2010 that was reevaluated for NEPA in 2016. In March of 2025 Caltrans, Consor Engineering, and Lake County surveyed the project alignment for any potential changes needed to NEPA protected species, permits and the final project ECR.
The project is expected to take two construction seasons and work in all channels included in the BSA will be conducted in the dry season.
All culvert and in channel work will be conducted outside the Clear Lake Hitch spawning season.

Attached are updated species lists for all USFWS and NMFS managed ESA Sec. 7 listed species and protected habitats.
Changes to the species list from the last evaluation include:

Northwestern Pond Turtle(*Actinemys marmorata*): is a USFWS managed Candidate for Federally Threatened status and State SSC. Marginal habitat exists within the drainages and adjacent

serpentine grasslands within the project BSA. Field surveys show the channels to be marginal habitat, best suited as migratory corridors to Clear Lake when water is present. Stream channels are shallow, choked with invasive vegetation, do not provide good basking habitat and are in heavily trafficked roadside areas. It is unlikely NW pond turtle will be present during construction and all construction in channels will occur when the channels are dry. No observations were made of NW pond turtle or use of the habitats present within or adjacent to the BSA. Overland migration of nesting females may occur in adjacent serpentine grasslands and upland vegetation adjacent to stream channels late May- August. Active nesting/aestivation occurs June-November when hatchlings begin to emerge in early winter. To ensure no NW pond turtle are affected during project construction the following avoidance and minimization measures will be incorporated into the project ECR:

- A contractor supplied biologist (CSB) will clear all stream channels, including riparian vegetation adjacent, and serpentine grasslands for presence of NWPT including nests prior to work occurring in these areas. Heavy equipment parked overnight should be surveyed and cleared for any NWPT that may take shelter under equipment if migrating through the project area.
- If a NWPT nest is observed, the qualified contractor supplied biologist will mark a 25.0-ft (7.6-m) buffer around the nest and its adjacent (~within 164.0-ft (50.0-m)) suitable nesting habitat for avoidance and consult with the Caltrans on guidance. Caltrans will then reach out to USFWS as needed.
- Exclusion fencing will be installed along Soda Bay Road where serpentine grasslands are directly adjacent and have connectivity to Clear Lake. Exclusion fencing should be installed with the bottom 6 inches made of smooth material -silt fencing to prevent climbing. The exclusion fencing must be opaque, non-climbable material (e.g., silt fencing or smooth plastic and not mesh), at least 2.0 ft (0.6 m) high, have one-way exit funnels away from the work area, and be contoured such that NWPT are unable to climb over the fence and into the work area. The top will be folded over (outside the work area) to create a lip that prevents NWPT from climbing over the top. A patch of smooth sand could be placed at the exit funnel(s) to record the tracks of exiting NWPT; these would be checked and re-smoothed daily when checking the fence and coverboards. Exclusion fencing should be checked daily. Fencing will be completely removed at the end of construction.
- If NWPT are observed within the project area or in harm's way at any time during construction, the designated monitor will contact the contractor supplied biologist and Caltrans immediately and will have the authority to stop project activities until appropriate corrective measures have been completed or it is determined that the NWPT will not be harmed. NWPT encountered during project activities will be allowed to move away on their own volition.

Monarch Butterfly (*Danaus plexippus*) is a USFWS managed as Candidate for Federally Threatened status with proposed critical habitat and State SSC status. The project area is outside proposed critical habitat. The primary host plant, Milkweed (*Asclepias spp*.) is not present within the project area. The project will have no effect to Monarch butterfly or known host plants.

Central California Coast (CCC) Steelhead (*Oncorhynchus mykiss irideus*) - Federally Threatened, State Threatened: Recently dually listed. This salmon DPS does not have connectivity to

waters with direct flow into Clear Lake due to man made barriers upstream. The project will have no effect on CCC steelhead, or any anadromous salmonids managed by NMFS that may come up on regional species lists due to lack of presence in the watershed.

All other species known or have the potential to exist within the project BSA are previously covered in the original and 2016 NEPA analysis. No additional impacts are expected for this project. ESA fencing will be installed to protect known serpentine plant populations and retainment of any serpentinite topsoil are already planned.

Any tree removal over 4" DBH that occurs within the migratory bird nesting season (March 1-September 15) will require a contractor supplied biologist nest clearance survey within one week of removal in accordance with the Migratory Bird treaty Act. If nests are found, contact the Caltrans, the tree will not be removed until the nest is empty, and fledging's have left the nest. Exclusion netting of any kind to prevent swallows from nesting on the underside of culverts is no longer approved and will be removed from the project ECR prior to construction.
An updated ECR will be shared prior to start of construction.

If the project changes in scope, timing, or anticipated effects this NEPA reval is no longer valid and a new analysis of potential effects to ESA listed species will be required.

All the best,

Christa R. Unger
Environmental Scientist-Biologist
D1 Environmental Planning
Local Assistance Caltrans
(707)684-6995

From: Unger, Christa@DOT
To: NMFS SpeciesList - NOAA Service Account
Subject: LAK Caltrans Soda Bay Road widening and bike routes project- NEPA reval
Date: Monday, May 12, 2025 1:42:00 PM

Quad Name **Lakeport**

Quad Number **39122-A8**

ESA Anadromous Fish

SONCC Coho ESU (T) -

CCC Coho ESU (E) - **X**

CC Chinook Salmon ESU (T) - **X**

CVSR Chinook Salmon ESU (T) -

SRWR Chinook Salmon ESU (E) -

NC Steelhead DPS (T) -

CCC Steelhead DPS (T) - **X**

SCCC Steelhead DPS (T) -

SC Steelhead DPS (E) -

CCV Steelhead DPS (T) -

Eulachon (T) -

sDPS Green Sturgeon (T) -

ESA Anadromous Fish Critical Habitat

SONCC Coho Critical Habitat -

CCC Coho Critical Habitat - **X**

CC Chinook Salmon Critical Habitat -

CVSR Chinook Salmon Critical Habitat -

SRWR Chinook Salmon Critical Habitat -

NC Steelhead Critical Habitat -

CCC Steelhead Critical Habitat -

SCCC Steelhead Critical Habitat -

SC Steelhead Critical Habitat -

CCV Steelhead Critical Habitat -

Eulachon Critical Habitat -

sDPS Green Sturgeon Critical Habitat -

ESA Marine Invertebrates

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 - **X**
Chinook Salmon EFH - **X**
Groundfish EFH -
Coastal Pelagics EFH -
Highly Migratory Species EFH -

MMPA Species (See list at left)

ESA and MMPA Cetaceans/Pinnipeds

See list at left and consult the NMFS Long Beach office 562-980-4000

MMPA Cetaceans -
MMPA Pinnipeds -

Type tex

Christa R. Unger
Environmental Scientist-Biologist
D1 Environmental Planning
Local Assistance Caltrans
(707)684-6995

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 95825-1846
Phone: (916) 414-6600 Fax: (916) 414-6713

In Reply Refer To: 05/12/2025 17:32:29 UTC
Project Code: 2025-0095263
Project Name: South Main St. Soda Bay Rd. Widening and bike Lanes project -LAK, Caltrans-NEPA Reval

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 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 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:

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/what-we-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

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 Code 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:

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

PROJECT SUMMARY

Project Code: 2025-0095263

Project Name: South Main St. Soda Bay Rd. Widening and bike Lanes project -LAK, Caltrans- NEPA Reval

Project Type: Road/Hwy - Maintenance/Modification

Project Description: The project will consist of widening South Main Street (Major Collector CR 400A) and Soda Bay Road (Major Collector CR 502), located in the County of Lake, just south of the City of Lakeport. The two streets join at the intersection of the State Route (SR) 175 Extension, just east of SR-29. The total project length is approximately 1.3 miles and includes a 0.5-mile segment of South Main Street, extending from the Lakeport city limits to the SR-175 Extension, and a 0.8-mile segment of Soda Bay Road extending south from the SR-175 Extension to approximately 0.15 mile west of Manning Creek.

The proposed improvement project includes widening the existing two lane South Main Street/Soda Bay Road segment into a three-lane roadway with a 12-foot-wide continuous center turn lane and two 12-foot-wide travel lanes with 8-foot-wide paved outside shoulders. The shoulders will serve as Class II bicycle lanes. It is anticipated that for the South Main Street portion of the project, an additional widening may be required within the next 20 years to an ultimate configuration consisting of five 12-foot-wide lanes and two 5-foot-wide shoulders to accommodate projected traffic volumes. Current ROW width is 60 feet. Project requires ROW acquisition to increase width of ROW to 80 feet.

Most existing open storm drainage channels and longitudinal ditches along South Main Street and Soda Bay Road will be converted to a system of drainage pipes and cross culverts and covered over by the roadway widening improvements.

The project produced an NES in 2010 that was reevaluated for NEPA in 2016. In March of 2025 Caltrans, Consor Engineering, and Lake County surveyed the project alignment for any potential changes needed to NEPA protected species, permits and the final project ECR.

The project is expected to take two construction seasons and work in all channels included in the BSA will be conducted in the dry season.

All culvert and in channel work will be conducted outside the Clear Lake Hitch spawning season.

No additional impacts to habitat or species are expected since the last NEPA revaluation.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@39.02165995,-122.9140133425067,14z

Counties: Lake County, California

ENDANGERED SPECIES ACT SPECIES

There is a total of 5 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 Fisheries[1], 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.

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

BIRDS

NAME	STATUS
Northern Spotted Owl *Strix occidentalis caurina* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1123	Threatened

REPTILES

NAME	STATUS
Northwestern Pond Turtle *Actinemys marmorata* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1111	Proposed Threatened

FISHES

NAME	STATUS
Clear Lake Hitch *Lavinia exilicauda chi* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9298	Proposed Threatened

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

FLOWERING PLANTS

NAME	STATUS
Burke's Goldfields *Lasthenia burkei* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4338	Endangered

CRITICAL HABITATS

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

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: California Department of Transportation District 1
Name: Christa Unger
Address: 1656 Union Street
City: Eureka
State: CA
Zip: 95502
Email christa.unger@dot.ca.gov
Phone: 7076846995

ATTACHMENT -CALTRANS SECTION 106 REVALIDATION

From: Arsenault, Mark@DOT
To: Heim, Vincent@DOT
Subject: RE: NEPA Revalidation Forms - County of Lake South Main Street and Soda Bay Road Corridor Improvement Project
Date: Wednesday, June 18, 2025 2:02:25 PM
Attachments: image001.png

Hey Vincent,

I approve this revalidation request so long as Lake County continues fulfilling their environmental commitments for Section 106.

Kind regards,
Mark Arsenault, M.A.
Associate Environmental Planner (Archaeology)
Environmental Planning
District 1, Caltrans
(707) 684-6897

From: Heim, Vincent@DOT <Vincent.Heim@dot.ca.gov>
Sent: Wednesday, June 18, 2025 11:17 AM
To: Arsenault, Mark@DOT <Mark.Arsenault@dot.ca.gov>
Subject: RE: NEPA Revalidation Forms - County of Lake South Main Street and Soda Bay Road Corridor Improvement Project

Hi Mark,

I'm not sure if you had a chance yet, but can you please write me an email that this project can be revalidated? I know we are waiting on the MOA to be executed before actual work can occur, but as I mentioned in the email below we can revalidate the project now so they can request CON RFA. It will be nice to get this one cleared. If there are any issues, please let me know.

Kind regards,
Vincent Heim I Senior Environmental Scientist (Specialist)
California Department of Transportation
1656 Union Street, Room 155
Eureka, CA 95501
707-296-6987 (work cell)
He/Him/His

From: Heim, Vincent@DOT

Sent: Monday, June 9, 2025 2:21 PM
To: Arsenault, Mark@DOT <Mark.Arsenault@dot.ca.gov>; Unger, Christa@DOT <Christa.Unger@dot.ca.gov>
Cc: Nichols, Cassie@DOT <Cassie.Nichols@dot.ca.gov>
Subject: FW: NEPA Revalidation Forms - County of Lake South Main Street and Soda Bay Road Corridor Improvement Project

Good morning Team,

Attached is the revised project description and draft reval form for Soda Bay projects in Lake County.

Both of you have provided me with feedback prior. Christa, I think you are done with your revalidation. However, please review when you have an opportunity, and let me know if you have all the required information for your reval. Mark, I think the MOA timeline was established for October/November 2025. I told Consor that we could reval for the supplemental documentation for CON RFA, but that a second reval would be needed for the MOA in October and prior to any work occurring.

Kind regards,

Vincent Heim I Senior Environmental Scientist (Specialist)
California Department of Transportation
1656 Union Street, Room 155
Eureka, CA 95501
707-296-6987 (work cell)
He/Him/His

From: Arielle Bradford <Arielle.Bradford@lakecountyca.gov>
Sent: Wednesday, June 4, 2025 9:32 AM
To: Heim, Vincent@DOT <Vincent.Heim@dot.ca.gov>
Subject: NEPA Revalidation Forms - County of Lake South Main Street and Soda Bay Road Corridor Improvement Project

Good Morning Vincent,

Attached is the completed NEPA Revalidation form and project description ready for your review. Please take a look and provide us with your feedback.

Thank you,

Arielle Bradford
Capital Project Manager
County of Lake, Public Works
255 N. Forbes St.
Lakeport, CA 95453
707-263-2341